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TOWN OF HARDISTY



general
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plan &
land use
by-law



TOWN OF HARDISTY

general
municipal
plan

TOWN OF HARDISTY
GENERAL MUNICIPAL PLAN
BY-LAW NO. 860
DECEMBER 12, 1985

**TOWN OF HARDISTY
BY-LAW #860**

**BEING A BY-LAW OF THE TOWN OF HARDISTY,
IN THE PROVINCE OF ALBERTA TO BE KNOWN AS THE "HARDISTY
GENERAL MUNICIPAL PLAN".**

*WHEREAS, the Council of the Town of Hardisty deems it expedient to enact a
General Municipal Plan to describe land uses proposed and the manner of
future development within the municipality.*

*NOW THEREFORE, the Council of the Town of Hardisty duly assembled, by
virtue of the powers vested in it under Section 61(2) of the Planning Act,
Chapter P-9, R.S.A. 1980, hereby enacts the Hardisty General Municipal
Plan By-Law #860 as attached hereto and inclusive of Schedule A, and that
this By-Law comes into effect immediately upon receiving Third Reading.*

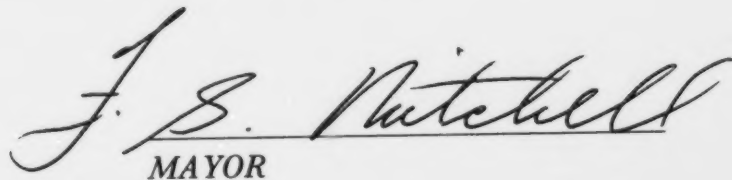
READ A FIRST TIME THIS 14th day of November, 1985;

*ADVERTISED THIS 19th day of November, 1985; and the 26th day of
November, 1985, in the COMMUNITY PRESS newspaper;*

PUBLIC HEARING HELD THIS 12th day of December, 1985;

READ A SECOND TIME THIS 12th day of December, 1985;

*READ A THIRD TIME AND FINALLY PASSED THIS 12th day of
December, 1985.*


MAYOR

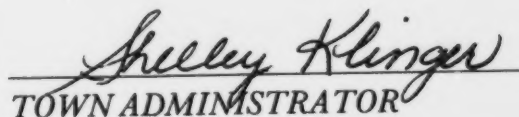

TOWN ADMINISTRATOR

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SCHEDULE A - FUTURE LAND USE MAP



1.0 INTRODUCTION

This General Municipal Plan (GMP) has been prepared in response to various land use planning needs of the Town of Hardisty. Passed by Council on December 12th, 1985, this Plan will be known as the Town of Hardisty General Municipal Plan, By-law No. 860.

The primary purpose of a GMP as provided for in sections 61 to 63 of Alberta's Planning Act is to describe the intended nature of future land use development for areas within the Town both generally and specifically. Town Council has regarded this opportunity as useful also for taking a broad look ahead at the Town as a cohesive urban centre.

Throughout this preparation process, the reasons for doing such planning have become crystalized, as follows:

- 1 To devise land use policies which will provide future development and the new Land Use By-law with an overall context or framework to operate within;*
- 2 To enable the Town to set a course of action which addresses improved land use management;*
- 3 To provide procedures for dealing with present and future land use needs while achieving short and long term goals;*
- 4 To prevent future land use problems or confrontations by encouraging development where and when desirable; and*
- 5 To provide opportunities for assembling a continuing public forum to initiate discussion and unite the various groups and individuals interested in improving the Town and helping it to get ahead.*

2.0 PLANNING PRINCIPLES

Three planning principles have been applied to guide the preparation of this document and should continue to act as a thought foundation throughout the Plan's implementation and review.

2.1 Management and Control

The key to achieving a responsible level of control over land use development is through a coordinated approach of managing the various land use concerns.

2.2 *Degree and Priority*

Priorizing the scale and scope of land use concerns and issues ensures that each gets adequate attention appropriate to the level of the concern.

2.3 *Change and Monitoring*

Change from the status quo will be the continuing result of the corrective or preventative resolution of land use concerns. Change is reasonable when it is demonstrated to be socially, legally, economically, environmentally and politically appropriate. The success of this document is contingent upon its acceptability and effective implementation. The policies making up this Plan will require periodic review and, when found necessary, will be amended to ensure that they remain appropriate over time in face of this anticipated change.

3.0 **PLANNING GOALS**

The land use policies presented in this Plan have been determined so as to aim at achieving one or more of the following goals:

- 1 *To revitalize the Town of Hardisty as an attractive urban centre for living and working in;*
- 2 *To manage, develop, and maintain Hardisty Lake Park as a unique public year-round recreational resource;*



- 3 *To encourage a reasonable rate of growth while providing for a doubling of the Town's present population; and*
- 4 *To provide for the efficient and orderly development of compatible land uses to accommodate and support the Town's growth.*

4.0 RESIDENTIAL LAND USE POLICIES

- 4.1 *The Town intends to encourage the development of a diversity of housing types in existing vacant residential lots and subdivisions. Since single-family dwellings are the predominant housing form in the Town's established residential areas, higher density developments such as rowhouses and fourplexes are needed foremost to provide alternative ownership and rental housing availability. Five different residential districts in the Town's Land Use By-law provide for a large mix of housing types and areas.*
- 4.2 *Since most of the land ready for residential development is owned by the Town, the preparation of a residential land marketing strategy has been endorsed by Council. This marketing strategy will address ways to increase the marketability of existing and future residential lots, and ways to encourage the private development industry to finance and manage the construction of affordable new quality housing projects. A variable pricing system for lots based on realistic market values, and a promotional sales program will also be considered in such a marketing strategy.*
- 4.3 *To ensure that residential lots and housing opportunities are always in reasonable supply, Council will consider recommending its approval for the subdivision of a new residential area or phase once 80% of the existing residential lots or units per housing type are developed. This mechanism should ensure that there exists an appropriate balance between the actual rate of population growth and the demand for new residential areas to be serviced with public utilities.*



- 4.4 *Four areas in the Town have been set aside for future stages of residential use as identified on the Future Land Use Map.*

"Stage One" is the subject of an outline plan (77-B-265) and is classified in the "Low Density Residential District" (R1) in the Land Use By-law. This area will support approximately 40 single-family lots and has 1 hectare (2.6 acres) of municipal reserve owing from it.

"Stage Two" is intended for mobile homes toward the north part of the parcel and rowhousing or other medium density housing developments to the south.

"Stages Three and Four" are scheduled for residential use in the long term, and due to the probable length of this time period, the housing type has not yet been specified.

- 4.5 *Future residential stages and other large land holdings will remain unsubdivided as provided in the "Urban Reserve" classification of the Land Use By-law. This designation also allows property assessments to remain at the lower levels which are typical for largely unimproved land prior to development.*
- 4.6 *The Town's "acreage" development and subdivisions will be limited to existing parcels only. These "Large Lot Residential" areas are identified on both the Future Land Use Map and Land Use By-law Map. Council will not consider redesignating any new areas into this classification since the general area currently exhibits a surplus of these type of lots which consume a great amount of land.*
- 4.7 *Mobile homes will be grouped together in specific areas to every degree possible so that the Land Use By-law's special provisions addressing particular lot or park sizes, and the maintenance and amenity standards can be applied in the most aesthetic manner.*

5.0 COMMERCIAL LAND USE POLICIES

- 5.1 *New and expanding commercial and professional service businesses will be actively encouraged to locate in the Town of Hardisty. Special consideration will be given to businesses which provide the goods and services needed by local residents, which will expand the Town's trading area, and which will provide local employment opportunities.*
- 5.2 *Council will promote the availability of existing and future commercial retail and service lots as located in two distinct parts of Town. The downtown area or Central Commercial District in the Land Use By-law provides opportunities for new, expanding, relocating or redeveloping business of a small-scale nature, whereas larger-scale developments*

will be encouraged to locate in the highway commercial area adjacent to Secondary Road 881 opposite from Hardisty Lake Park. The Future Land Use Map identifies additional highway commercial land which is already subdivided, but which will require reclassification to proceed toward development.

- 5.3 *Council, the Economic Development Committee, and the Chamber of Commerce will cooperate and involve other interest groups in discussions with a common goal aimed at promoting Hardisty as a viable commercial service centre. These discussions should address strategies to improve the existing local business climate and ways to attract new business into the Town.*

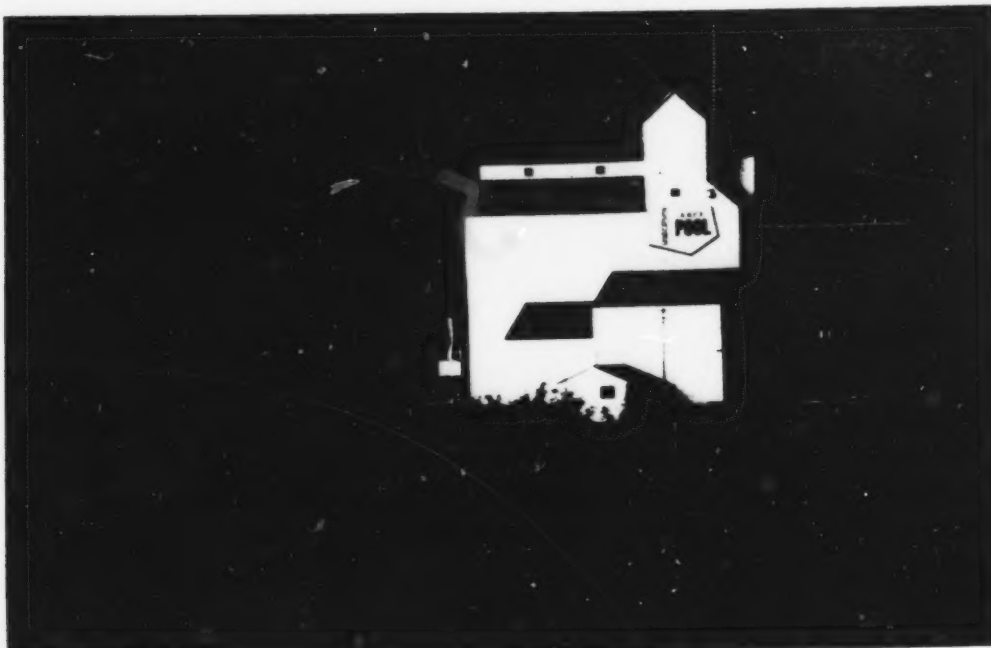


- 5.4 *A special Downtown Revitalization Area has been identified within the central part of Town both on the Future Land Use and Land Use By-law Maps to focus consideration on the commercial redevelopment of 'Main Street'. More specifically, the Downtown Revitalization Area has been set to facilitate changes by the private and public sectors working together which will help*
- (i) to retain existing business,*
 - (ii) to improve or expand existing business,*
 - (iii) to create a more aesthetic and practical downtown,*
 - (iv) to attract new business,*
 - (v) to enhance the Town's self image, and*
 - (vi) to provide more commercial goods and services for the local area.*

- 5.5 *Each proposed commercial or service business will be required to provide parking areas sufficient to accommodate both customer or client and employee parking needs. These parking needs will be provided for by inclusion of off-street parking stalls as noted on a development permit or as part of a development agreement with Council for parking space or money in place of parking space.*

6.0 INDUSTRIAL LAND USE POLICIES

- 6.1 *Industrial developments will be encouraged to locate in the Town provided that they do not cause extreme or unsafe conditions to affect the urban environment. Specially preferred will be those industries which serve the needs of the Town and its surrounding areas, which employ local residents, and which contribute to and strengthen the Town's economic base.*
- 6.2 *Council will pursue strategies to promote the availability of existing and future industrial lots within the Town's limits. Hardisty has an adequate supply of undeveloped industrial land as classified in the Land Use By-law. The Future Land Use Map indicates possible alternative or long term industrial sites which remain as "Urban Reserve" in the Land Use By-law. The sum total of all these industrial sites provides an extensive variety of existing locations and lot sizes, and all industrial sites have prime access from Primary Highway 13, Secondary Road 881, and/or the Canadian Pacific Railroad.*

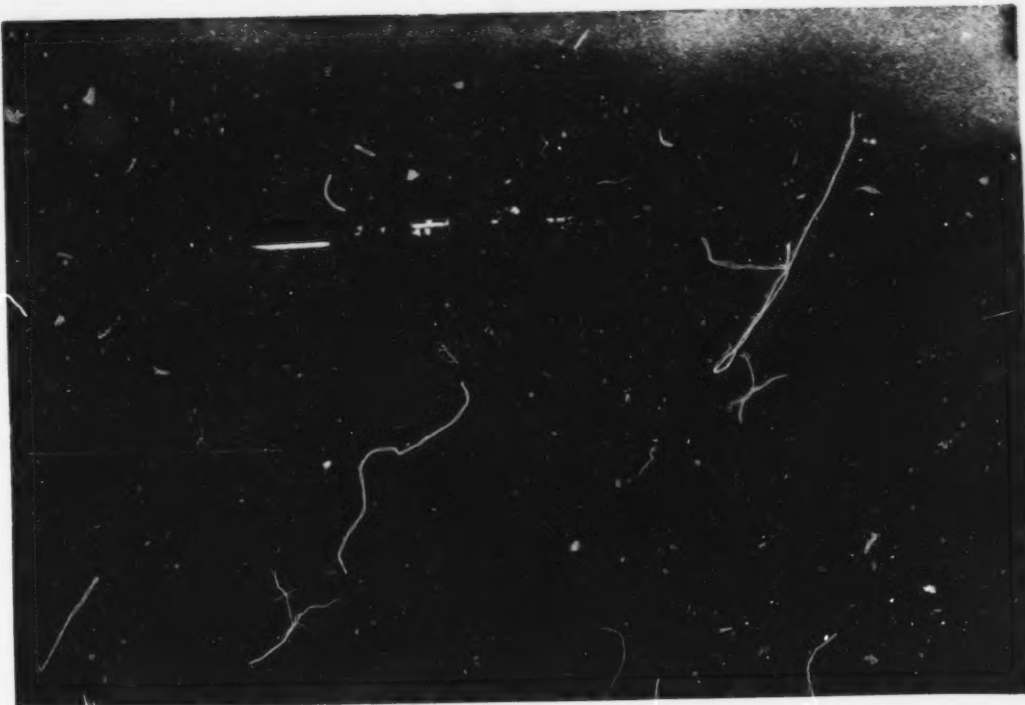


- 6.3 *Industry which might be termed as "Heavy" will be encouraged to locate in the most northerly tip of the Town, or on other sites which are distant from residential areas.*

- 6.4 *Although the Town actively encourages potential industry to develop within its boundaries, the business representatives will be required to provide a detailed description of the industrial proposal's operations, resource needs, land needs including the likelihood of future expansion, and especially potential effluents or emissions.*

7.0 COMMUNITY LAND USE POLICIES

- 7.1 *These provisions relate to public institutional, parks and other community land uses except for Hardisty Lake Park which has special land use policies of its own within this Plan.*



- 7.2 *Town Council will strive to ensure that essential public institutional land uses and services are developed in Hardisty for the continued security of all local residents. Council will specifically pursue the actualization of improved facilities for the community's library, firehall, town hall, community hall, and police protection over the life of this Plan. Publicly-owned land will be reviewed to determine which sites for the desired facilities or mix of facilities are best suited to the Town's residents overall. Only if no satisfactory publicly-owned sites are available will private land be purchased to locate these public facilities.*
- 7.3 *Council will request that environmental reserve and/or municipal reserve land or the money in lieu be taken or deferred when applicable as per Division 3 on Reserve Land in the Planning Act during the subdivision of land within the Town's limits. This land or the money in lieu will be applied to the establishment of new or enlarged public parks*

and other community land uses as per "Use and Disposal of Reserve Land", Division 5 of the Planning Act.

- 7.4 *Once appropriate sites have been determined for the location and development of the improved public facilities, Council will apply to the Alberta Planning Board to have any unnecessary subdivided lots cancelled where the land is publicly-owned and part of a registered plan of subdivision, as per "Cancellation of Plans of Subdivision", Division 6 of the Planning Act.*
- 7.5 *Council hereby endorses and commits itself to the preparation of a maintenance strategy for Town-owned land. Such a strategy is to include provisions for vacant land already subdivided for residential use, institutional and park land, public road, lane and sidewalk right-of-ways, and should be coordinated with policies and provisions within this Plan relating to the Downtown Revitalization Area and Hardisty Lake Park. This maintenance strategy should address concerns relating to improved methods or scheduling of landscaping, grass-cutting, snow-plowing, litter removal, lighting, car parking, general supervision, and security of publicly-owned land toward the welfare of park users and adjacent properties.*
- 7.6 *In the advent of any substantial increase of the Town's population, or prior to the redesignation and subdivision of future residential land Council will undertake a detailed review of the Town's utility infrastructure and its servicing capacity.*

8.0 HARDISTY LAKE PARK POLICIES



8.1 *The policies that follow have been prepared to address numerous concerns or needs which have been identified relating specifically to Hardisty Lake Park. These can be summarized as follows:*

- management of private land uses on public parkland;*
- the availability, access, potential, and longevity of prime parkland and public beach area;*
- conflict between public and private land uses; and*
- park maintenance, services, facilities, public health provisions, and supervision.*

8.2 *In order to ensure that Hardisty Lake Park remains a valuable and enjoyable public recreational resource, Hardisty Lake Park will be retained as public parkland owned fully by the Town of Hardisty as it exists on adoption of this Plan.*

8.3 *A Hardisty Lake Park Site Plan has been prepared to indicate the location of all present structures, improvements, and rights-of-way throughout the Park as they exist at the time of this Plan's adoption. A Development Concept Plan will be developed from the Site Plan so as to include the following provisions:*

- adequate internal road system providing for efficient vehicular circulation into, out off and throughout the Park;*
- adequate public parking provisions at close proximity to the Park's entrance gate;*
- redefined overnight camping areas;*
- redefined daily picnicing areas;*
- redefined public beach areas and access ways to same through privately used areas;*



- areas for proposed public washroom and shower facilities;
- redefined private cottage-use areas as per lease agreements;
- redefined boating, docking, launching and associated parking areas;
- areas for potential new recreational activities and facilities which may or may not include community use services and eating establishments; and
- development management strategies addressing the scheduling of Park development, maintenance, and supervision.

8.4 Private use of individual portions of Hardisty Lake Park for existing locations of private cottages used for non-primary residential use will be allowed by lease agreement between the Town and the private users as per the lease conditions and according to this Plan, the Land Use By-law, the Hardisty Lake Park Development Concept Plan, and all other pertinent controls. The Alberta Planning Board has acknowledged the existence of these private cottages on this unsubdivided public land. On November 21st, 1985 the Board waived section 78(1) of the Planning Act limiting single lots to one dwelling through Board Order 645-M-85. This decision formally allows the Town to lease the cottage sites in the S 1/2 1-43-10-W4 with the Board's specific provision that the Order does not have the effect of enhancing in any way the security of the cottage-owner's tenure beyond the terms of the lease agreements.



8.5 This Plan endorses Hardisty Lake Park as a direct control district as per section 70 of the Planning Act. The Land Use By-law designates the Park in the "Direct Control Park (DCP) District" classification. Public and private uses of land are suggested in the Direct Control Park District of the Land Use By-law, however, Council is not limited to the land uses listed. Council is bound, though, to acknowledge any proposed

development, improvement, or building, whether public or private in nature, by resolution of Council documented in the meeting's minutes. Private cottage-owners must receive written documentation of approval from the Development Officer as per Council's resolution for any development proposal they might be considering prior to any site work on their leasehold area portion of the Park except where same is clearly a work of maintenance or repair to an existing structure.

- 8.6 *The Hardisty Lake Park Development Concept Plan will indicate private leasehold areas with limits surrounding each private cottage or cabin. Within these leasehold area limits will be a building envelope which will consist of standard setbacks from each limit. No part of any new building, improvement, structure, addition or accessory structure can be developed in the area between a private leasehold area limit and the building envelope setback. Council will only consider private development proposals that fall within the cottage's building envelope regardless of whether or not the existing structure is beyond the building envelope specified.*



- 8.7 *Council will pursue the possible construction of a direct access route off Secondary Road 881 into Hardisty Lake Park. Not only would such an access be more direct than the existing access from Town, but it would also provide access to other areas of the Park which have been under-utilized and which could be developed to a much greater potential. Further, an approach from SR 881 would provide a second access to the Park which would be desirable should there be an emergency or should one access become impassable. The existing access from Town will also be improved in signage and surface.*

- 8.8 *Parking restrictions will be applied to Hardisty Lake Park to reduce congestion on the roads, to allow better visual access to the Lake, to allow for more efficient vehicular and pedestrian circulation, and to create a safer exit from the Park in the advent of an emergency. All day-users in the Park will be required to park in the allotted areas, overnight campers will be restricted to parking in their campsite or in the allotted parking areas, and private cottagers and their guests will be required to park within their leasehold area to the extent possible and with extra vehicles in the allotted public parking areas. Vehicles will be prohibited from parking along the Park's road network.*



- 8.9 *Since the Town must rent its land at "fair rental value" (as per section 127 of the Municipal Government Act), the rental income from private cottage-owners has been increased in 1985 from \$25 to \$100 per annum, and must be reviewed as necessary to satisfy this requirement. Overnight and day-use camping rates should also be reviewed.*



- 8.10 *The leases entered into by the cottage-owners will all be consistent in time length, restrictive conditions, and rental amount per annum so that the Town is able to administrate and manage the Park efficiently. The leases will all be for a renewable ten year term starting January 1st, 1986, and subsequent Councils will be required to renew the leases and/or make changes to the terms and conditions as they see fit. The Cottage Site Rental Fee will be reviewed yearly by Council and cottage owners will be invoiced for the following year's Cottage Site Rental Fee at least one month prior to the new lease-year's commencement (December 1st). All income derived by the Town from Hardisty Lake Park will be allocated back into the Park for the funding of improved recreational or other user facilities and Park maintenance to benefit its users.*
- 8.11 *A proposed change in ownership of a private structure in Hardisty Lake Park is subject to Town Council's first right of refusal to buy the structure at a mutually agreed-on or appraised value, unless the structure is to remain within the owner/lessee's family. For any change in ownership of a cottage structure in Hardisty Lake Park, the prospective cottage-owner will be required to assume the land lease which remains for that particular leasehold area.*
- 8.12 *Council will pursue recreation grant monies annually until such time that same are obtained to assist the Town financially with the development of Hardisty Lake Park. Although the Park is primarily intended to serve the leisure recreational year-round needs of the Town's residents, it is realized that the Park also attracts others from the larger region. It is for this reason that Council deems it appropriate to strive for such additional public funding.*



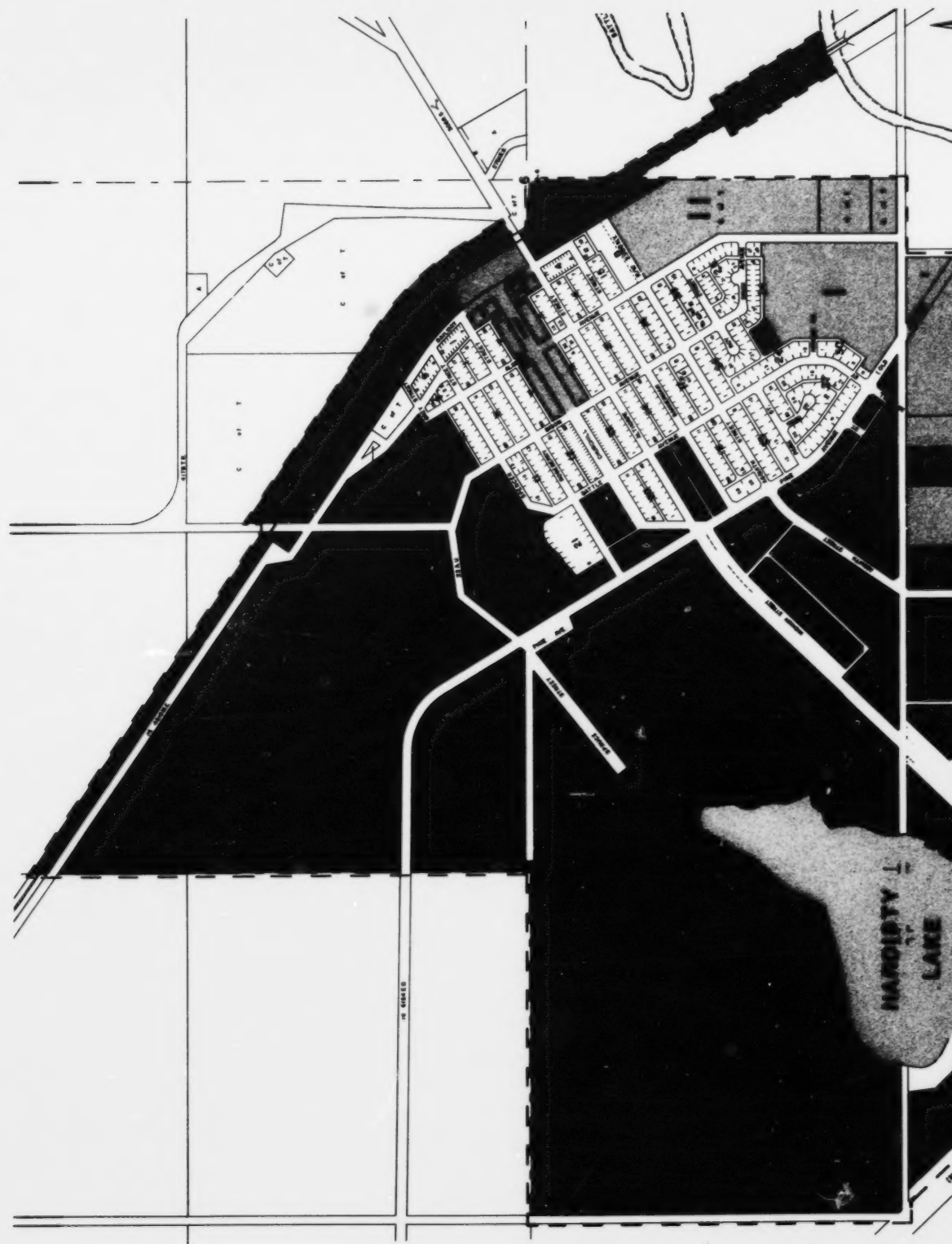
9.0 CONCLUDING PERSPECTIVES

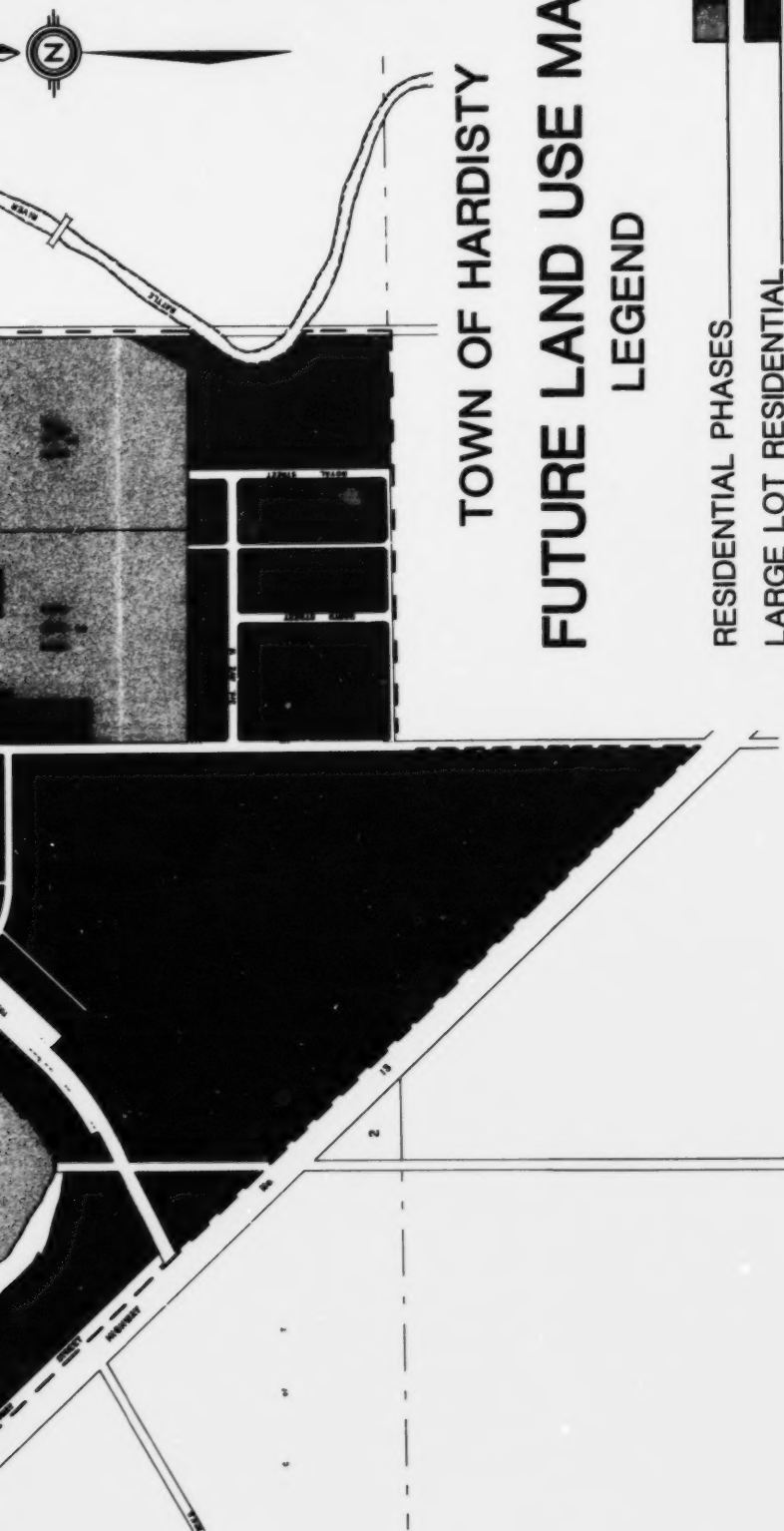
9.1 *To ensure that this General Municipal Plan remains an appropriate set of policies managing Hardisty's future growth and development, this document must be reviewed periodically. Council acknowledges that monitoring the changes taking place in the Town on an annual basis will chart the progress of this Plan's implementation. An annual report indicating the number of development permits issued, subdivisions approved, Land Use By-law amendments passed and including other relevant information such as municipal population and household data censuses, property assessment changes and other financial data will be prepared either separately or in conjunction with the Town's year end financial statement.*

9.2 *The pace at which these land use policies are set into motion, achieved and revised will determine the lifespan of this Plan. In the meantime numerous tasks are ahead of Council, Town employees, the Town's special interest groups and the general public as their active participation effects the Plan's implementation. A summary list of studies proposed in this Plan follows for convenience:*

- Residential land marketing strategy for Town-owned Land;*
- Maintenance strategy for Public Land;*
- Downtown Revitalization Area Strategies;*
- Hardisty Lake Park Development Concept Plan and Management Strategy; and*
- Industrial Land Marketing Strategy.*

SCHEDULE A





TOWN OF HARDISTY

FUTURE LAND USE MAP

LEGEND

- RESIDENTIAL PHASES _____
- LARGE LOT RESIDENTIAL _____
- HIGHWAY COMMERCIAL _____
- INSTITUTIONAL _____
- INDUSTRIAL _____
- MUNICIPAL PARKLAND _____
- URBAN RESERVE _____
- DOWNTOWN REVITALIZATION AREA _____

TOWN OF HARDISTY

land use
by-law

TOWN OF HARDISTY

LAND USE BY-LAW

NO. 859

DECEMBER 12, 1985



**TOWN OF HARDISTY
BY-LAW #859**

BEING A BY-LAW OF THE TOWN OF HARDISTY IN THE PROVINCE OF ALBERTA TO BE KNOWN AS THE "HARDISTY LAND USE BY-LAW".

WHEREAS, the Council of the Town of Hardisty deems it expedient to hereby rescind the Town of Hardisty Land Use By-Law #786.

AND WHEREAS, the Council of the Town of Hardisty deems it expedient to replace By-Law #786 with this By-Law #859.

AND WHEREAS, the Council of the Town of Hardisty deems it expedient to enact a Land Use By-Law to regulate and control the use and development of land and buildings within the municipality.

NOW THEREFORE, the Council of the Town of Hardisty duly assembled, by virtue of the powers vested in it under Section 68(2) of the Planning Act, Chapter P-9, R.S.A. 1980, hereby enacts the Hardisty Land Use By-Law #859 as attached hereto, and inclusive of Schedule A, and that the By-Law comes into effect immediately upon receiving Third Reading.

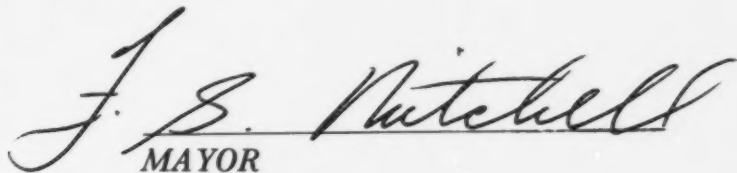
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PUBLIC HEARING held this 12th day of December, 1985;

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MAYOR

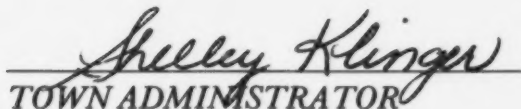

TOWN ADMINISTRATOR

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SCHEDULE A - LAND USE DISTRICT MAP

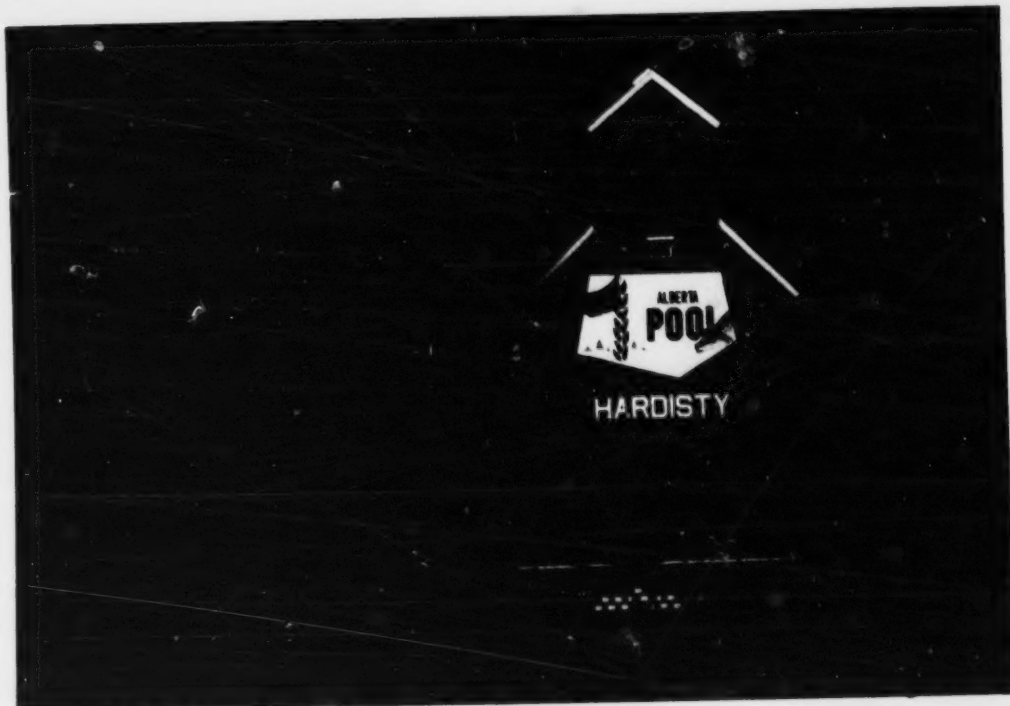
PART ONE - ADMINISTRATION

1.1.0 CONTEXT

This Land Use By-law has been prepared on behalf of the Town of Hardisty to replace the previous land use document known as By-law No. 786. Passed by Council on December 12th, 1985, this By-law will be known as the Town of Hardisty Land Use By-law, No. 859.

The underlying philosophy of this document, consistent with the Town's new General Municipal Plan, is to facilitate and provide for the orderly, economical and beneficial growth of the Town while maintaining and improving the quality of its physical environment.

This By-law has been drafted also according to the overall future land use policies and directives as described in the General Municipal Plan. The ultimate objective of this new Land Use By-law, then, is to describe standards and procedures to manage and control the future development of land uses within the Town of Hardisty.



1.2.0 DEFINITIONS

The following list of definitions is provided to aid in the interpretation and implementation of the land use provisions and procedures contained within.

In this By-law

“Act” means the Planning Act, Chapter P-9, Revised Statutes of Alberta 1980, as revised from time to time;

“accessory building or use” means a building or use separate but customarily incidental and subordinate to the main or principle building or use and which is located on the same parcel of land;

“apartment” means a multiple family residential use building on one lot consisting of at least three dwelling units, but does not mean row housing;

“building” means any structure used or intended for supporting or sheltering any use or occupancy;

“business” means the use of land and any improvements used for a business, trade, profession, industry, occupation, employment or calling and the providing of goods and services;

“cottage” means a structure used as a dwelling but which might not be habitable on a year-round basis and which is not a primary residence.

“Council” means the Mayor and Councillors elected from time to time in and for the municipal corporation of the Town of Hardisty;

“development” means

- (a) an excavation or stockpile and the creation of either of them,*
- (b) a building or an addition to or replacement or repair of a building and the construction or placing in, on, over or under land of any of them,*
- (c) a change of use of land or a building or an act done in relation to land or a building that results in or is likely to result in a change in the use of the land or building, or*
- (d) a change in the intensity of use of land or a building or an act done in relation to*

land or a building that results in or is likely to result in a change in the intensity of use of the land or building;

“development appeal board” (D.A.B.) means Council unless a separate development appeal board has been established by by-law as per sections 33 to 37 of the Act;

“development officer” (D.O.) means a person authorized by Council as per section 43 of the Act and having office established by this By-law as per section 69 of the Act unless a municipal planning commission is established as per section 28 of the Act;

“development permit” means a document authorizing a development as per this By-law and section 69 of the Act;

“discretionary use” means the use of land or a building provided for, as such, in this By-law but for which a development permit may or may not be issued;

“duplex” means two dwelling units sharing a common wall, and located side by side or one above the other;

“dwelling” means any building or structure used exclusively for human habitation and which is supported on a permanent foundation or base extending below ground level and includes single and multiple family dwellings, apartments, lodging and boarding houses, but does not include mobile homes;

“dwelling unit” means a complete building or self-contained portion of a building, set or suite of rooms for the use of one or more individuals living as a single housekeeping unit, containing sleeping, cooking and separated or shared toilet facilities intended as a permanent or semi-permanent residence not separated from direct access to the outside by another separate or self-contained set or suite of rooms but does not include mobile homes;

“fourplex” means a multiple family residential use building or buildings on one lot containing four dwelling units where each unit has access to the ground level and shares two party walls;

“front yard” means a yard extending across the full width of a parcel from the front line of the parcel to the front wall of the main building situated on the parcel;

“gross floor area” means the total area of all floors of all buildings including accessory buildings located on any parcel, excluding the area of basement floors, except for basement suites in apartment buildings which are included in the calculation of gross floor area;

"gross floor area ratio" means the ratio or decimal resulting from dividing the gross floor area of all buildings by the total site area of the parcel on which the buildings are located;

"group home" means a building or portion of a building used for the care or rehabilitation of children, adolescents or adults;

"home occupation" means any occupation, trade, profession, or craft carried on by an occupant of a residential building as a use secondary to the residential use of the building, and which does not change the character thereof or have any exterior evidence of such secondary use other than a small sign or name plate, not exceeding 1,900 cm² (2 sq ft) in area. A home occupation does not include the employment of more than one paid assistant other than the occupant and the occupant's family;

"intensive livestock operation" means any facility or mode of operation which confines 10 or more animal units (A. U.) as per Alberta Agriculture guidelines in an enclosure or building for the purpose of feeding and rearing livestock at a density of one A. U. per 300 square meters (3230 ft²) and is occupied at least 90 consecutive days per year but does not include the wintering of livestock in a normal ranching operation;

"main building" means a building in which is conducted the main or principle use of the site on which it is erected;

"mobile home unit" means a single or double-wide house trailer, relocatable trailer or other structure with or without permanent foundation or basement, which might be equipped with wheels, which is manufactured to be moved from one point to another by being towed or carried, which provides year-round living accommodation for one or more persons, and which can be connected to utilities;

"modular unit" means a prefabricated, manufactured, sectional, or factory-built tubular frame or shell modular unit which represents only a section of a dwelling and which does not possess a chassis, running gear, or its own wheels, but which can be stacked side-by-side or vertically, and can be added-to to form a complete dwelling unit for year-round occupancy with a permanent foundation;

"municipality" means the area of land known as the Town of Hardisty;

"non-conforming building" means a building

- (a) that is lawfully constructed or lawfully under construction at the date a land use by-law or any amendment thereof affecting the building or land on which the building is situated becomes effective, and*

- (b) *that on the date the land use by-law or any amendment thereof becomes effective does not, or when constructed will not, comply with the land use by-law;*

“non-conforming use” means a lawful specific use

- (a) *being made of land or a building or intended to be made of a building lawfully under construction, at the date a land use by-law or any amendment thereof affecting the land or building becomes effective, and*
- (b) *that on the date the land use by-law or any amendment thereof becomes effective does not, or in the case of a building under construction will not, comply with the land use by-law;*

“permitted use” means the use of land or a building provided for, as such, in this By-law for which a development permit will be issued;

“rear yard” means a yard extending across the full width of a parcel from the rear wall of the main building situated on the parcel to the rear line of the parcel;

“rowhousing” means multiple family residential use where at least three dwelling units are located in a building or buildings on one or more lots with each unit having direct access to the outside grade, but does not mean an apartment;

“side yard” means a yard extending from the front wall of the main building situated on a parcel to the rear wall of the main building and lying between the side line of the parcel and the side wall of the main building;

“Subdivision Approving Authority” means the Planning Branch of Alberta Municipal Affairs;

“yard” means a part of a parcel upon or over which no main building is erected;

and all other words and expressions have the meanings respectively assigned to them in the Act.

1.3.0 DEVELOPMENT PERMIT PROCEDURE

1.3.1 ROLE OF DEVELOPMENT OFFICER

The office of Development Officer, as established by this By-law, is filled by a person(s) appointed by resolution of Council, and is hereby designated as an “authorized person” as per section 43 of the Act.

- 1.3.2 *The Development Officer will maintain a copy of this By-law including all its amendments, a copy of each which will be sent to the Subdivision Approving Authority, and a list of all development permit applications with the decision and the reason for the decision noted. Further, the Development Officer will keep these items available for inspection by the public during all reasonable business hours.*

1.3.3 **APPLYING FOR A DEVELOPMENT PERMIT**

Any person who wishes to undertake a development within the municipality must

- (a) *apply to the Development Officer for a development permit by completing Form A - "Development Permit Application" to the satisfaction of the Development Officer;*
- (b) *prepare to the satisfaction of the Development Officer a site plan showing the full lot area and including all existing and proposed features being any buildings, yards, parking or loading facilities, access and egress points, and landscaping, and floor plans, and elevation and section drawings for any proposed buildings, these all in duplicate; and*
- (c) *provide the appropriate development permit fee, as per the following table:*

<i>Fee of \$25</i>	<i>for first \$5,000 (or part thereof) of estimated project cost;</i>
<i>Plus fee of \$1</i>	<i>for each \$1,000 for next \$15,000 or part thereof of estimated project cost;</i>
<i>Plus fee of \$.50</i>	<i>for each remaining \$1,000 or part thereof;</i>

unless the type of development proposed does not require a development permit as per this By-law.

1.3.4 **DEVELOPMENT NOT REQUIRING A DEVELOPMENT PERMIT**

All development requires the issuance of a development permit prior to any site work or construction except for the following:

- (a) *The carrying out of works of maintenance or repair to any building, provided that such works do not include structural alterations or major works of renovation;*
- (b) *The completion of a building for which a development permit was issued under the previous By-law provided that the building is completed in accord-*

ance with the terms and conditions on which the permit was granted;

- (c) The use of any buildings referred to in subsection (b) for the purpose which construction was commenced;*
- (d) The erection or construction of gates, fences, walls or other means of enclosure (other than on corner lots or where abutting on a road used by vehicular traffic) less than one metre in height in front yards and less than one and a half metres in side and rear yards, and the maintenance, improvement and alteration of any gates, fences, walls, or other means of enclosure;*
- (e) A temporary building, the sole purpose of which is incidental to the erection or alteration of a building for which a permit has been issued under this or the previous By-law;*
- (f) The maintenance, repair, installation of a public work, service or utility carried out by or on behalf of federal, provincial or municipal authorities on land which is publicly-owned or controlled;*
- (g) A well or battery as per the "Oil and Gas Conservation Act";*
- (h) A pipeline or an installation or structure incidental to the operation of a pipeline; or*
- (i) Any other type of development exempted from the Act as specified by the Lieutenant Governor in Council by regulation.*

1.3.5 DEVELOPMENT PERMIT DECISION

Except where an area is under a "direct control district" as per this By-law and a General Municipal Plan adopted by Council by-law, the Development Officer will consider and decide on all development permit applications received.

- 1.3.6** *Where the proposed development falls within a direct control district, the Development Officer will forward the development permit application on receipt to Council. Upon its receipt Council will add the application to the agenda of their next meeting during which they will consider it and make a decision according to their best judgement and any relevant directives set forward in this By-law and policies as adopted in the General Municipal Plan. Council's decision must be a resolution documented in the meeting's minutes and Council will direct the Development Officer to notify and advise the affected people in the usual manner.*

- 1.3.7 *The Development Officer can approve with or without any conditions considered appropriate, or refuse an application noting reasons of refusal as per Form D - "Notice of Development Permit Application Refusal".*
- 1.3.8 *If the development permit application is not decided on within 40 days of its receipt by the Development Officer, it can be deemed to be refused at the option of the applicant.*
- 1.3.9 *Where the decision of the Development Officer is to approve or conditionally approve a development permit application, the decision must be given to the applicant in writing as per Form B - "Development Permit". The decision must also be given in writing as per Form C - "Notice of Development Permit Application Approval" to any other registered owner of land who the Development Officer thinks might be affected by the decision. A Development Permit granted as per Form C in no case comes into effect until 14 days after the date of the decision. If the development permit decision is appealed, any development proceeded with by the applicant prior to the decision of the Development Appeal Board is done solely at the risk of the applicant and is punishable by the Development Officer as per sections 81 and 154 of the Act, sections 110 and 422 of the "Municipal Government Act", and is subject to the issuance of a stop order as per Form I.*
- 1.3.10 *If the development authorized by a permit is not commenced within 12 months from the date of its issue, or is not in the opinion of the Development Officer carried out with reasonable diligence, the permit is deemed to be void unless an extension to this period has previously been granted by the Development Officer.*
- 1.3.11 *When a development permit has been issued, the Development Officer will immediately arrange for a public notice to be published in the next issue of the **Community Press** newspaper stating the location of the property and the nature of the decision.*
- 1.3.12 *A Development Officer can also choose to arrange for the public notice of the issue of a development permit by posting notice of the decision conspicuously on the property which is the subject of the permit.*
- 1.3.13 *A development permit will not be issued for a legally non-conforming use or building except as provided for in section 74 of the Act.*

1.3.14 DEVELOPMENT OFFICER'S DISCRETION

Minimum site areas as specified for any land use in this By-law can be lowered at the discretion of the Development Officer in cases where existing lots are substandard.

1.3.15 *Subject to clause 1.3.14 only a minor variance in any land use provision in this By-law can be considered by the Development Officer and only at the time of making a decision on a development permit where*

- (a) there are exceptional circumstances or conditions applicable to a particular property or proposal to the extent that practical difficulties or results inconsistent with the general purpose of this By-law might result from its strict and literal interpretation and enforcement,*
- (b) the minor variance would not unduly interfere with the amenities of the neighbourhood,*
- (c) the minor variance would not materially interfere with or affect the use, enjoyment or value of the neighbouring properties, and*
- (d) the proposed development conforms with the use prescribed for in the relevant land use district of this By-law.*

1.3.16 *Where minimum or maximum site development standards are not specified in this By-law they can be determined at the discretion of the Development Officer.*

1.3.17 *The Development Officer, on behalf of Council, may require that a development permit applicant, as a condition of the permit's issuance, enter into an agreement with Council as per Section 77 of the Act to construct or pay for the construction of public roadways or walkways, parking areas or facilities, loading or unloading facilities, utilities, or to pay off-site or redevelopment levys imposed by By-law which are intended to serve the subject development.*

1.3.18 *Where a development permit application involves a discretionary use of land as per Part Two of this By-law, the Development Officer can refer the application to the Director of Planning, Planning Branch, Alberta Municipal Affairs for comments in writing.*

1.3.19 *Where an application for development involves land which is proposed for subdivision or which should be subdivided, the Development Officer will delay making*

a decision on the development permit application until an appropriate subdivision application has been approved and endorsed by the Subdivision Approving Authority. Any permit then issued must be subject to the condition that the endorsed subdivision be registered at the Land Titles Office with reasonable diligence.

1.3.20 Where an application for a development permit has been refused by the Development Officer or the Development Appeal Board, the Development Officer can refuse to accept another application for the same or similar use on the same property by the same or any other applicant for at least six months after the previous decision was finalized unless the prevailing circumstances have changed and warrant otherwise.

1.3.21 Where the Development Officer finds and determines that a development or use of land or building is not in accordance with a provision of this By-law, the Act, a development permit, or a subdivision approval and is not a legal non-conforming use or building as per section 74 of the Act, the Development Officer can issue a stop order as per section 81 of the act in the form of a written notice or Form I - "Stop Order" requiring compliance, or can take an action as per section 82 of the Act.

1.4.0 DEVELOPMENT APPEAL PROCEDURE

1.4.1 DEVELOPMENT APPEAL BOARD

The Development Appeal Board established as per Section 33 of the Act will choose a Chairman and a Vice-Chairman from the Board's members. All notices made to and by the Development Appeal Board will be directed to, or will be the responsibility of, the Chairman, or Vice-Chairman in the other's absence.

1.4.2 An appeal can be made by a development permit applicant or any other person affected to the Development Appeal Board where a Development Officer

- (a) refuses a development permit application or fails to issue a decision on a development permit within 40 days of receipt of the application;*
- (b) issues a development permit with or without conditions; or*
- (c) issues an order under section 81 of the Act.*

1.4.3 NOTIFYING OF AN APPEAL, APPEAL HEARING AND DECISION

An appeal must be made by notifying the Development Appeal Board in writing within 14 days after the date of the order, or after the date of notice of the decision, or after the lack of decision after 40 days, and the Development Appeal Board will hold a Development Appeal Board hearing within 30 days of receipt of this notice.

1.4.4 *The Development Appeal Board will notify all those affected by the appeal as per section 84 of the Act and via Form E - "Notice of Appeal Hearing", and will publish a notice of the upcoming public hearing in the **Community Press** newspaper, all at least five days prior to the date of the appeal hearing.*

1.4.5 *The Development Appeal Board will make the appropriate documents available for public inspection as per section 84 of the Act, and will hear those persons, record its proceedings, and make its decision regarding the appeal as per section 85 of the Act.*

1.4.6 *The Development Appeal Board will notify those affected by its decision via Form F - "Notice of Appeal Decision" and by publishing its decision in the **Community Press** newspaper within 15 days of the hearing.*

1.47 *Where there is noncompliance regarding a stop order as per section 81 of the Act, or an order of the Development Appeal Board as per section 85 of the Act, Council or its appointed person can enter and take the necessary action as per section 82 of the Act.*

1.5.0 AMENDING THIS BY-LAW

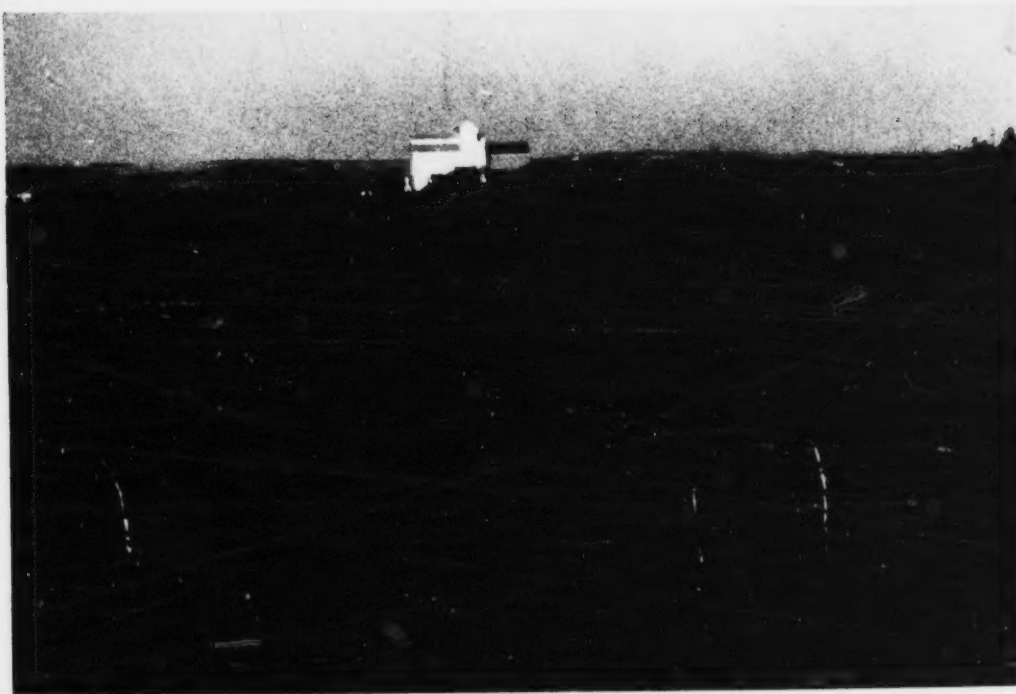
Any person can apply to have any part of this By-law amended, except for provisions or procedures prescribed as per the Act, by completing Form G - "Application for Land Use By-law Amendment" and submitting same with any sketch or plan necessary to adequately describe the proposed amendment, and with an application fee of \$25.00 for each application made to amend this By-law to the Development Officer who will prepare the proposed Land Use By-law Amendment.

1.5.1 *Council, at any time, can initiate an amendment to this By-law by directing the Development Officer to prepare the proposed Land Use By-law Amendment.*

1.5.2 *Council can decline to give second reading to a proposed amending by-law as per Section 139 of the Act where there is majority opposition to it, and can likewise refuse to accept the same or a similar proposal for the three months following Council's first refusal.*

1.5.3 PUBLIC NOTICE AND HEARING

Council will hold a public hearing as per sections 139 and 140 of the Act concerning any proposed amendment to this By-law after giving notice as per section 139 of the Act and via Form H - "Notice of Land Use By-law Amendment Proposal and Public Hearing to subject landowners" unless, in Council's opinion, the amendment proposed does not materially affect the By-law in principle or in substance as per section 142 of the Act.



PART TWO - LAND USE PROVISIONS

2.1.0 ESTABLISHMENT OF LAND USE DISTRICTS

The following land use districts are hereby established and the frequency and extent of these districts is delineated on the Land Use District Map included and forming part of this By-law and referred to as "Schedule A - Land Use District Map":

Land Use District	District Code
<i>Low Density Residential</i>	<i>R1</i>
<i>Mixed Residential</i>	<i>R2</i>
<i>Medium Density Residential</i>	<i>R3</i>
<i>Large-Lot Residential</i>	<i>LR</i>
<i>Mobile Homes & Parks</i>	<i>MHP</i>
<i>Central Commercial</i>	<i>C1</i>
<i>Highway Commercial</i>	<i>C2</i>
<i>Industrial</i>	<i>M</i>
<i>Institutional</i>	<i>I</i>
<i>Parks & Recreational</i>	<i>P</i>
<i>Direct Control Park</i>	<i>DCP</i>
<i>Urban Reserve</i>	<i>UR</i>
<i>Downtown Revitalization Area (District Overlay)</i>	

2.1.1 LAND USE DISTRICT INTERPRETATION

Where uncertainty exists concerning the exact boundary of a land use district as shown on the Land Use District Map, the following guides should be used to assist in such interpretation:

- (a) Where a boundary is shown as following a street, lane, stream or river, it should be interpreted as actually following the centreline thereof;*
- (b) Where a boundary is shown as approximately following a lot line, it should be interpreted as actually following the lot line; or*
- (c) In circumstances not covered by the guides above, the district boundary in question should be interpreted:*
 - (i) as per any relevant dimensions which might be found on the Map; or*

- (ii) *by the measurement and use of the scale shown on the Land Use District Map.*

2.1.2 *Where the application of the guides noted above does not determine the exact location of the boundary of a land use district, Council, either on its own motion or upon written application made to it by any person requesting same, can fix the portion of the district boundary in question in a manner consistent with the provisions of this By-law and with the degree of detail involving measurements and directions as the circumstance is seen to require.*

2.1.3 *Council and the Development Officer must both maintain a list of the decisions regarding specific land use district boundaries as per Council's interpretation above, and once Council has fixed a specific district boundary this way, that portion of the boundary cannot be reinterpreted or altered again except by amendment to this By-law.*

2.1.4 **LAND USE PROVISION DIMENSIONS**

Where an Imperial measure is given in brackets after a Metric measure anywhere throughout this By-law, the Imperial measure is an approximation given for convenience only and has no standing in the interpretation of this By-law.

2.1.5 **GENERAL SITE DEVELOPMENT PROVISIONS**

The design, siting, external finish, architectural appearance, lot maintenance and landscaping for all land uses and buildings, including any accessory buildings, structures, signs, and reconstruction or redevelopment will be to the satisfaction of the Development Officer in order that there be general conformity in such matters with adjacent buildings and areas.

2.1.6 *No person will commence or continue the removal of topsoil without first obtaining a development permit. There must be provided on occupancy of the development, a minimum topsoil coverage of 6 inches and the affected area must be landscaped to the satisfaction of the Development Officer.*

2.1.7 *At least 10% of the site area of all new land use development except for commercial uses must be landscaped unless otherwise determined by the Development Officer, and all landscaping and planting must be carried out (weather permitting) within two months of occupancy or commencement of operation of the proposed development.*

- 2.1.8 *Any lighting proposed to illuminate a private development, building or outside space will be located and arranged so that all direct rays of light are aimed onto the site only and not on any adjoining properties unless the adjoining property owners agree to same in writing.*
- 2.1.9 *Roof drainage must be directed so as not to allow water to run off onto adjacent sites unless otherwise determined by the Development Officer.*
- 2.1.10 *All construction must conform to the Alberta Building Code and all other relevant building regulations.*
- 2.1.11 *Regarding accessory uses and buildings,*
- (a) *development permits are not required for accessory uses or buildings unless otherwise specified in this By-law provided that the use or building is in fact subordinate or ancillary to a lawful main use or building;*
 - (b) *accessory uses and buildings are automatically included with the main uses noted or referred to in this By-law unless otherwise specified;*
 - (c) *accessory buildings must not be used as dwellings;*
 - (d) *accessory buildings must not be located in front yards;*
 - (e) *the siting of accessory buildings on irregularly shaped parcels will be as determined by the Development Officer;*
 - (f) *signs of any nature to be located outdoors and in the view of the public are not considered accessory buildings or uses, and require the issuance of a development permit or a note of condition on same as determined by the Development Officer;*
 - (g) *where a structure is attached to the main building on a site by a roof, an open or closed structure, a floor or a foundation, it is to be considered part of the main building and not an accessory building;*
 - (h) *if fireplaces, balconies, sun decks, patios, carports, garages or other additions are made to a main building or are planned to be made, these will not be considered accessory uses or buildings and yard requirements will be measured from the leading edge of these additions, and*

- (i) *the total area of accessory buildings must not exceed 12% of the site area unless noted otherwise in this By-law.*

2.1.12 *No person will keep or permit in any part of a yard in any residential district*

- (a) *any dismantled or wrecked vehicle for more than 14 successive days;*
- (b) *any object, chattel, or piling up of materials which in the opinion of the Development Officer is unsightly or tends to adversely affect the amenities of the district;*
- (c) *any excavation, storage or piling up of materials required during the construction stage unless all necessary safety measures are undertaken (the owner of such materials or the land being excavated assumes full responsibility to ensure the situation does not prevail any longer than reasonably necessary to complete a particular stage of construction work);*
- (d) *a commercial vehicle loaded or unloaded of a maximum weight in excess of 4082 kg (9000 lbs); or*
- (e) *a commercial vehicle or recreational vehicle to remain in front yard.*

2.1.13 *Regarding outdoor storage and maintenance,*

- (a) *where the outdoor storage of raw materials, finished or partially finished products, fuel, salvage material, junk or waste is permitted on a site, such storage must be concealed from sight from adjacent sites, streets or lanes by a fence or wall of appropriate design, and sufficient dimension and position such that such materials are not visible from any point 2 m (6.5 ft) or less above grade on any adjacent site, street or lane. Fencing and screening are subject to approval by the Development Officer;*
- (b) *this section does not limit the customary display of any commodities or goods intended and permitted to be sold on the site, or the storage of fuel, oil or gas in tanks connected to a heating plant on the premises;*
- (c) *in no case will any storage of materials except as cited in this Section be permitted in the required front yard setback of any site; and*

- (d) *no storage of any kind will be permitted in the side yard of any site.*

2.1.14 *Regarding protection from exposure to hazards,*

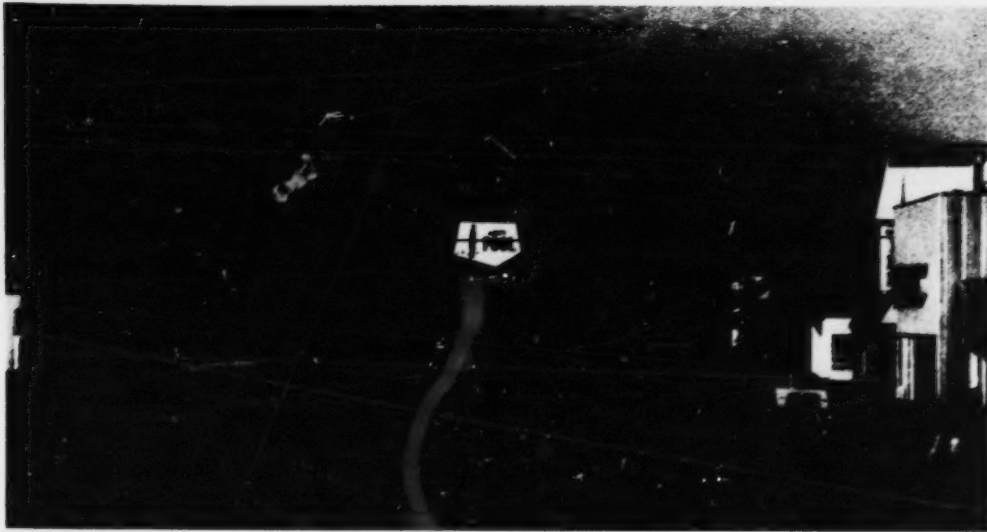
- (a) *the location of any anhydrous ammonia or liquefied petroleum gas (AA or LPG) storage tank with a water capacity exceeding 9092 litres (2000 gallons) must be in accordance with the requirement of the Development Officer but will in no case be less than a minimum distance of 122 m (400 ft) from assembly, institutional, commercial or residential buildings;*
- (b) *AA or LPG containers with a water capacity of less than 9092 litres (2000 gallons) must be located in accordance with regulations under the Gas Protection Act;*
- (c) *flammable liquid storage tanks at bulk plants or service stations must be located in accordance with regulations under the Fire Prevention Act; and*
- (d) *setbacks from pipelines and other utility corridors must be as required by the Development Officer and the appropriate Provincial Regulations or Acts.*

2.1.15 *Regarding sour gas facilities (as defined by Alberta Regulation 138/79);*

- (a) *no development will be permitted within 0.1 km of a Level 1 sour gas facility (consisting of a well) as determined by the Energy Resources Conservation Board (E. R. C. B.);*
- (b) *no development will be permitted within 0.5 km of a Level 2 sour gas facility as determined by the E. R. C. B.; and*
- (c) *no development will be permitted within 1.5 km of a Level 3 or Level 4 sour gas facility as determined by the E. R. C. B.*

2.1.16 *Regarding off-street parking spaces, areas, or facilities,*

- (a) *the minimum number of off-street parking spaces required for each building class is as noted in the Specific Land Use Provisions Table and the basic minimum parking space area is 14.5 m² (156 ft²) per vehicle. In the case of a use not specifically mentioned, the required number of off-street parking spaces will be the same as for a similar use as determined by the Development Officer. Where a development proposal consists of a mix of uses, the required number of parking spaces will be the sum of the requirements for each of the land use types proportionate to the amount of the development they occupy;*



- (b) *the Development Officer can allow an applicant to provide a lesser number of spaces if it can be shown that the standard is not applicable to the project. Subject to the approval of Council, the applicant can at his option pay to the municipality a payment equal to the cost of an equivalent public parking space provided somewhere in the district;*
- (c) *every off-street parking space and its access must be hardsurfaced if the access is from a street or lane which is hardsurfaced, and parking areas must be paved or of a gravel mixture as determined by the Development Officer;*
- (d) *each parking area must be graded and drained so as to dispose of all storm water runoff, and in no case will drainage be allowed to cross a sidewalk unless otherwise permitted by the Development Officer;*
- (e) *off-street parking access for apartments or other multiple dwelling unit developments and for any commercial district must be landscaped by the planting of trees in a manner and number satisfactory to the Development Officer;*
- (f) *no parking space is to be located within 1 m (3 ft) of a lot line common to the lot and to a street;*
- (g) *parking areas are to be constructed so that adequate access to, and exit from each stall is to be provided at all times by means of manoeuvring aisles designed to the satisfaction of the Development Officer; and*
- (h) *all off-street parking spaces and areas are to have the necessary curb cuts located to the satisfaction of the Development Officer.*

2.1.17 *Off-street loading facilities, when required to be provided as part of a proposed development and unless otherwise determined by the Development Officer, must*

- (a) *be a space at the rear of the development with the basic dimensions for one space being at least 3 m (10 ft) in width, 7.5 m (25 ft) in length, and 4.25 m (14 ft) in height;*
- (b) *be accessed from a street or lane so that no backing-up or turning movements of the vehicles going to or from the site cause interference with traffic on the abutting streets or lanes;*
- (c) *be sited at an elevation or elevations convenient to the major floor level or to a utility elevator which serves each major floor level in the building, and*
- (d) *be graded and or drained so as to dispose of all storm water runoff without such drainage crossing any sidewalks.*

2.1.18 **LAND USE DISTRICT PROVISIONS**

Designating permitted and discretionary land uses and development control standards in specific land use districts protects landowners by identifying potential neighbouring land uses and it provides potential developers with a reasonable amount of foresight in knowing what types of future land uses might or will be allowed.

Specific land use provisions are included in the Table in the following section. Where no individual land use is included, the development control standards for that type of use, if included, are to be applied, or otherwise as determined by the Development Officer. Further to the controls in the Specific Land Use Provisions Table, Other Provisions where included pertain to some land uses forming part of the land use districts.



2.1.19 SPECIFIC LAND USE PROVISIONS TABLE

LAND USE	MIN SITE FRONTAGE	MINIMUM SITE AREA	MINIMUM FRONT YARD	MINIMUM SIDE YARD	MINIMUM REAR YARD	MINIMUM FLOOR AREA	SITE COVERAGE	ACCESSORY BUILDINGS	MAX BLDG HEIGHT	FENCING OR WALLS	MIN # ON-SITE PARKING SPACES	MIN # OFF-STREET PARKING SPACES
SINGLE-FAMILY DWELLING, MODULAR UNIT, OR MOVED-IN RESIDENCE	15m (50 ft)	475 m ² (5113 ft ²) with lot, or 302 m ² (3263 ft ²) with no lot, or larger to meet yard minimums	7 m (23 ft)	1.5 m (5 ft) or 10% where side width exceeds 15 m (50 ft) in 3 m (10 ft) max, or 3 m on a corner lot's corner side.	6 m (20 ft) from edge of main bldg. to rear property line	85 m ² (915 ft ²)	min 18% max 40%	min 3 m (10 ft) from main bldg; min 1 m (3 ft) from lot line	10 m (33 ft) from main building; 5 m (16 ft) for accessory bldgs.	max 1 m (3.25 ft) where yard faces street; max 2 m (6.5 ft) where yards to rear face street	2 per unit/lot	N/A
DUPLEX OR SEMI-DETACHED DWELLING	7.6 m (25 ft) per unit	555 m ² (5974 ft ²) or 278 m ² each unit	-	2.4 m (8 ft)	-	65 m ² (700 ft ²)	max 40%	-	-	-	2 per unit	N/A
FOURPLEX	19.5 m (64 ft)	1300 m ² (14,000 ft ²) or 325 m ² (3500 ft ²) per unit	-	-	-	60 m ² (645 ft ²) per unit	max 40%	-	-	-	1.5 per unit	N/A
ROWHOUSING	4.6 m (15 ft) per unit	240 m ² (2583 ft ²) per unit	-	-	-	-	max 40%	-	-	-	-	N/A
APARTMENT	20 m (65 ft)	604 (6500 ft ²) for 4 units or less; 1100 m ² (12000 ft ²) for more than 4 but less than 12 units	-	3 m	-	Studios: 46 m ² (500 ft ²) 1-bdrm: 56 m ² (600 ft ²) 2-bdrm: 65 m ² (700 ft ²)	-	-	3 stories or 10 m (33 ft)	-	2 per unit	N/A
MOBILE HOME (SINGLE OR DOUBLE-WIDE)	15 m	405 m ² (4360 ft ²)	6 m (20 ft)	1.5 m (5 ft)	5 m (16 ft)	66 m ² (720 ft ²) (12' x 60')	max 40%	min 3 m from mobile home; min 1 m from any lot line; and max 5.5 m (18 ft) opp lot line	N/A	-	2 per unit/lot	N/A
MOBILE HOME PARK (Refer also to 2.6.4)	13.5 m (44 ft)	3729 m ² (40,000 ft ²) for Park; 390 m ² (4200 ft ²) for each stall	3 m	1.5 m*	1.5 m*	66 m ²	max 35% without carport, or max 40% total dev	-	-	-	1 per unit plus 3 spaces for every 2 stalls for visitors elsewhere in Park	N/A
CENTRAL COMMERCIAL USES	7.6 m (25 ft)	278 m ² (3000 ft ²)	N/A	1.5 m but only required when used as a residential lot	N/A	N/A	N/A	min 3 m from main bldg	10 m for main bldg	-	1 for existing buildings; 1 only new bldgs as in 2.7.3	1
GASOLINE SERVICE STATIONS	22 m (75 ft)	925 m ² (9956 ft ²)	12m (40 ft)	9 m (30 ft)	9 m	N/A	max 25%	Gas Pumps must be at least 4.5 m (14 ft) from any building or lot line	-	-	5	1
HIGHWAY COMMERCIAL USES	27.5 m (90 ft)	100 m ² (10764 ft ²)	5 m (16 ft)	3 m	N/A	N/A	N/A	min 3 m from main bldg; min 1 m from lot line	-	-	1 per 28 m ² (300 ft ²) floor area	same as industrial standard
DRIVE-IN BUSINESSES	-	557.5 m ² (6000 ft ²)	-	-	-	37 m ² (400 ft ²)	N/A	-	-	min 1.5 m high and solid	8	1
CONVENIENCE STORE	-	-	-	-	-	85 m ² (915 ft ²) for retail	N/A	-	-	-	1 per 38 m ² floor area	1
CAR WASH	-	557.5 m ² or 1115 m ² (12000 ft ²) with service station	-	-	-	N/A	max 40%	-	-	-	10	1

ROWHOUSING	4.6 m (15 ft) per unit	240 m ² (2583 ft ²) per unit	"	"	"	max 40%	"	"	"	"	N/A
APARTMENT	20 m (65 ft)	604 (6500 ft ²) for 4 units or less; 1100 m ² (12000 ft ²) for more than 4 but less than 12 units	"	3 m	"	"	Studios: 46 m ² (500 ft ²) 1-beds: 56 m ² (600 ft ²) 2-beds: 63 m ² (700 ft ²)	"	3 stories or 10 m (33 ft)	2 per unit	N/A
MOBILE HOME (SINGLE OR DOUBLE- WIDE)	15 m	405 m ² (4360 ft ²)	6 m (20 ft)	1.5 m (5 ft)	5 m (16 ft)	max 40%	min 3 m from mainline bldg; min 1 m from any lot line; and min 5 m (18 ft) opp lot line	N/A	"	2 per unit/lot	N/A
MOBILE HOME PARK (Refer also to (2.6.4))	13.5 m (44 ft)	3729 m ² (40,000 ft ²) for Park; 390 m ² (4200 ft ²) for each stall	3 m	1.5 m*	1.5 m*	max 35% without compert; or max. 40% total dev.	"	"	"	1 per unit plus 3 spaces for every 2 stalls for visitors elsewhere in Park	N/A
CENTRAL COMMERCIAL USES	7.6 m (25 ft)	278 m ² (3000 ft ²)	N/A	1.5 m but only required when used as a residential lot	N/A	N/A	min 3 m from main bldg	10 m for main bldg	"	1 for existing buildings only; new bldg or in 2, 7, 3	1
GASOLINE SERVICE STATIONS	22 m (75 ft)	925 m ² (9956 ft ²)	12m (40 ft)	9 m (30 ft)	9 m	max 25%	Gas Pumps must be at least 4.5 m (14 ft) from any building or lot line	"	"	5	1
HIGHWAY COMMERCIAL USES	27.5 m (90 ft)	100 m ² (10764 ft ²)	5 m (16 ft)	3 m	N/A	N/A	min 3 m from main bldg; min 1 m from lot lines	"	"	1 per 28 m ² (300 ft ²) floor area	same as industrial standard
DRIVE-IN BUSINESSES	"	557.5 m ² (6000 ft ²)	"	"	"	N/A	"	"	min 1.5 m high and solid	8	1
CONVENIENCE STORE	"	"	"	"	"	N/A	"	"	"	1 per 28 m ² floor area	1
CAR WASH	"	557.5 m ² or 1115 m ² (12000 ft ²) with service station	"	"	"	max 40%	"	"	"	10	1
HOTELS, MOTELS	"	140 m ² per unit for 1 story; or 93 m ² per unit for 2 story	8 m (26 ft)	"	"	N/A	"	"	min 1.5 m high	1 per sleeping unit plus 1 per each full-time employee, plus 1 per 5 seating spaces	1
INDUSTRIAL USES	27.5 m (90 ft)	1000 m ²	8 m	3 m	N/A	N/A	"	N/A	max 1 m facing street; max 2 m all other sides	1 per 2 full-time employees	1 per first 465 m ² (5000 ft ²) gross floor area; 2 per up to 2322 m ² (25000 ft ²); plus 1 per each additional 2322 m ²
INSTITU- TIONAL USES	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	1 per 93 m ² (1000 ft ²)	1 per first 2787 m ² (30000 ft ²) gross floor area; plus 1 per each 2787 m ² gross floor area or part thereof thereafter
CHURCH	30.5 m (100 ft)	925 m ² (10000 ft ²) or 1394 m ² (15000 ft ²) with music	"	"	"	"	"	"	"	1 per every 10 seating spaces	1

2.2.0 LOW DENSITY RESIDENTIAL DISTRICT (R1)

This district is intended to preserve established predominantly single-family residential neighbourhoods while providing for new development of a similar nature.

2.2.1 PERMITTED USES

*Single-Family Dwellings
Modular Units*

2.2.2 DISCRETIONARY USES

*Duplexes
Home Occupations
Parks and Playgrounds
Private Clubs, Community Halls, and other organizations
Public Buildings, Services and Installations
Group Homes
Moved-in Single Family Dwellings mounted on permanent foundations
Boarding Houses and Basement Suites
Churches and related Manses
Senior Citizens Lodges*

2.2.3 OTHER PROVISIONS

(i) Home Occupations are allowed provided that

- (a) the use is restricted to the dwelling unit or accessory building;**
- (b) there is no outside storage of material or equipment;**
- (c) the peace, quiet, dignity and other amenities of the neighbourhood are not disturbed by dust, noise, smell, smoke or traffic generated by the use;**
- (d) there can be no mechanical equipment used except when ordinarily used for housekeeping purposes, or for medical, dental or other purposes, or for any purpose normal to or reasonably consistent with the use of the dwelling;**

- (e) *articles offered for sale must be limited to those produced within the unit or the accessory building;*
 - (f) *no more than one business vehicle used in or for the occupation can be parked on the site or on any adjacent street; and*
 - (g) *no display of goods inside may be visible from outside the premises.*
- (ii) **Moved-in Buildings** *are subject to the following provisions:*
- (a) *In addition to the usual development permit application requirements, any person proposing to move an existing structure onto land within this municipality must provide photographs of the building showing each elevation and the general condition of the building and a statement indicating the present location and use of the building;*
 - (b) *The building can be inspected by the Development Officer or a qualified person delegated by the Development Officer and if so an inventory will be taken of the structural condition of the building and works necessary to improve the building to a safe standard;*
 - (c) *the developer might be required to present a bonafide estimate of the works required by clause (b) above;*
 - (d) *The Development Officer can require that the applicant post a performance bond or an irrevocable letter of credit in the amount of the estimate, and any such bond or letter will be forfeited if the necessary work is not completed within twelve months; and*
 - (e) *An inspection fee of \$25 for any investigation carried out under clause (b) above will be required. The above fee and any additional travelling expenses incurred during the course of the inspection can be required in addition to normal development permit application fees.*

2.3.0 MIXED RESIDENTIAL DISTRICT (R2)

This district provides for a diversity of residential and related uses.

2.3.1 PERMITTED USES

*Single-family Dwellings
Modular Units
Semi-detached Dwelling Units
Duplexes
Rowhouses
Fourplexes*

2.3.2 DISCRETIONARY USES

*Moved-in Single-family Dwellings mounted on permanent foundations
Walk-up apartments
Mobile Homes
Public Utility Installations
Parks and Playgrounds
Group Homes
Home Occupations*

2.3.3 OTHER PROVISIONS

- (i) *The maximum density of rowhouse developments will be to the determination of the Development Officer.*
- (ii) *“Moved-in Buildings” and “Home Occupations” provisions as per Section 2.2.3 “Other Provisions” apply to this district.*
- (iii) *“Mobile Homes” provisions as per Section 2.6.3 “Other Provisions” apply to this district.*

2.4.0 MEDIUM DENSITY RESIDENTIAL DISTRICT (R3)

This district provides for new and existing residential development of a generally higher density than other districts.

2.4.1 PERMITTED USES

Fourplexes

Rowhouses

2.4.2 DISCRETIONARY USES

(Walk-Up) Apartments

Existing Single-family Dwellings only

2.4.3 OTHER PROVISIONS

- (i) *The maximum density of rowhouse developments will be to the determination of the Development Officer.*

2.5.0 *LARGE-LOT RESIDENTIAL DISTRICT (LR)*

This district preserves the nature and extent of the Town's "acreage" residential development and other associated non-residential uses.

2.5.1 *PERMITTED USES*

Single Family Dwellings

Modular Units

Mobile Homes

Hobby Farms

Parks and Recreational Areas under public ownership and operation

2.5.2 *DISCRETIONARY USES*

Agriculture, Horticulture and Husbandry, excluding Intensive Livestock Operations

Home Occupations

Sand or Gravel Stockpiles

Gas, Oil and Public Utility Installations

Fertilizer and other Agricultural-oriented Storage Facilities

Radio and other Communications Transmission and Receiving Facilities

Highway Commercial Uses in locations approved by Alberta Transportation and Council

Recreation Areas

2.5.3 *OTHER PROVISIONS*

- (i) *No subdivision of existing lots or titles is permitted except by successful application for district reclassification and by appropriate subdivision application as decided by the Subdivision Approving Authority.*
- (ii) *No new areas will be taken into this district.*
- (iii) *"Mobile Homes" provisions as per section 2.6.3 "Other Provisions" apply to this district.*

2.6.0 MOBILE HOMES AND PARKS DISTRICT (MHP)

This district relates only to the special needs and provisions of new and existing mobile home development.

2.6.1 PERMITTED USES

*New Mobile Homes, Single- or Double-Wide
Mobile Home Parks
Sundecks and Patios
Carports and garages*

2.6.2 DISCRETIONARY USES

*Modular Units
Used Mobile Homes, Single- or Double-Wide
Parks and Playgrounds
Public buildings, Services and Installations*

2.6.3 OTHER PROVISIONS - Mobile Homes

- (i) *If additions such as fireplaces, sundecks, patios, carports or garages are made or planned to be attached to a Mobile Home the given side, front and back yard requirements will be measured from the leading edge of such improvements.*
- (ii) *A mobile home foundation will be of concrete or compacted mixed gravel and will be constructed so as to support the expected load of a mobile home. Piers of concrete or wood may be used where such supports have been approved by the municipality or are acceptable under CSA standards. All connections for sewer water and other facilities must be in place prior to the placement of the unit on the site and must comply with all public health and other applicable regulations affecting mobile home developments.*
- (iii) *Skirting will be of metal, plywood or chipboard provided that the skirting:*

 - is painted and otherwise treated so that it is in harmony with the colour or paint of the mobile home unit and is not a discordant clash of colours in the Development Officer's opinion;*

- is fastened in a satisfactory manner to the mobile home and at the base of the skirting to a beam or concrete slab;
- provides for access to the underside of the trailer in order to effect repairs or maintenance, being at least 1 easily removable access panel with a minimum width of 1.2 m (4 ft) to allow access to the utility connections; and
- has a minimum of two ventilators in the skirting to provide for cross ventilation beneath the unit with the minimum size of ventilator being 310 cm² (0.3 ft²) each.

(iv) *Heating Fuel Storage:*

- Where heating fuel is used; storage should be in an inconspicuous location, and must meet any regulations regarding this type of facility.

(v) *Site Restoration:*

- After the removal of a mobile home unit from any site the owner must demolish and remove any piers, poles, concrete structures, etc. so that the site will be restored to a satisfactory condition;
- The Development Officer will inspect the site to ensure that the requirements and intent of this Section have been carried out by the owner; and
- The Development Officer can require that a cash deposit of an amount which will cover the cost of the necessary site restoration be paid to the Municipal Administrator, and this deposit will be returned to the property owner upon satisfactory evidence that the site has been re-instated to a satisfactory condition.

2.6.4 **OTHER PROVISIONS - Mobile Home Parks**

- (i) *Prior to the granting of a development permit for a Mobile Home Park, the Developer must enter into an agreement with Council specifying mutual obligations regarding*

- (a) *the establishment, operation and maintenance of the following services and utilities during the life of the park:*
- *storm sewers, ditches,*
 - *sanitary sewers,*
 - *water, power, gas,*
 - *roadways, sidewalks, walkways, curbs,*
 - *snow clearance,*
 - *garbage collection,*
 - *fire fighting equipment,*
 - *parks, playgrounds and buffers,*
 - *control of pets, and*
 - *any other services as required by the Development Officer;*
- (b) *the standards of construction for same;*
- (c) *the manner in which costs of same are to be met, recovered, or shared;*
- (d) *the period of time allotted for the completion of construction or installation;*
- (e) *such other matters as are required by the Development Officer.*
- (ii) *All improvement or structures such as patios, porches, additions, skirting and storage facilities must be factory pre-fabricated units, or of a quality equivalent thereto, so that their design and construction will complement the Mobile Home Park.*
- (iii) *Each Mobile Home Park development permit application must be accompanied by a landscaping and site development plan to the satisfaction of the Development Officer.*
- (iv) *The undercarriage of each Mobile Home in the Park shall be suitable enclosed from view by skirting to the satisfaction of the Development Officer. Trailer hitches must be removed or screened.*
- (v) *Adequate common storage areas, separate from the Mobile Home Park, must be provided for the storage of seasonal recreational equipment and other equipment not capable of being stored within mobile home units. Storage areas must be enclosed or screened by trees, landscaping, fences, or a combination thereof.*

(vi) *Each mobile home will be placed upon a pad of compacted mixed gravel or concrete and supported by blocks as approved by the Development Officer.*

(vii) *Utilities must be underground and roads must be paved, made of compacted mixed gravel.*

(viii) ***Additional Setbacks***

(a) *In a Mobile Home Park the Mobile Home stalls must be located at least 6 m (20 ft) from the boundary of the Park abutting a public street or highway and at least 5 m (16 ft) from the remaining boundaries of the Park. These setbacks will be treated as amenity strips and must be suitably landscaped, and any sort of development which will compromise their intended use will be prohibited;*

(b) *Mobile homes, including any porch or addition, must be separated from each other by at least 5 m (16 ft).*

(ix) *No less than 5% of the gross area of the Park or all or part of the 5% as cash in lieu will be for parks, playgrounds and/or recreational uses and these will be located conveniently and with recreational equipment provided.*

(x) ***Signs***

(a) *An identification sign to a maximum height of 2 m (7 ft) above grade and to a maximum area of 3 m² (32 ft²) can be located at the principal entrance to the Park;*

(b) *Directional signs within the Mobile Home Park must be integrated in design and appearance and kept in scale with the immediate surroundings to the satisfaction of the Development Officer.*

(xi) ***Board of Health Regulations***

Mobile Home Parks must comply with the provisions of the Provincial Board of Health Regulations.

2.7.0 CENTRAL COMMERCIAL DISTRICT (C1)

This district encompasses the existing central business area in the Town of Hardisty and is complemented by further provisions as contained in the Downtown Revitalization Area, Section 2.14.0.

2.7.1 PERMITTED USES

*Retail Stores
Public & Institutional Uses
Office Buildings
Personal Service Establishments, ie - Barbers, hairdressers, dry cleaning,
Professional Buildings & Clinics
Town Office or Hall
Banks & Financial Institutions
Parking Areas
Restaurants & Eating Establishments
Parks & Playgrounds
Theatres & Halls
Dwelling Units above first floor
Hotels & Motels
Bakery
Liquor Store
Laundry
Fire Hall
Utility Installations
Funeral Parlor*

2.7.2 DISCRETIONARY USES

*Billiard & Pool Rooms
Automotive & Machinery sales & repairs
Bowling Alleys
Workshops & Workshops accessory to retail stores
Cinemas
Gasoline Service Stations
Private or community clubs, lodges & organizations
Existing Mobile Homes
Existing Apartments or Rooming Houses
Laundromats
Car Washes
Wholesale/Retail and Warehousing
Shopping Centres*

2.7.3 **OTHER PROVISIONS**

- (i) *Each parcel must have access to a lane at one side or the rear.*
- (ii) *Applications for Dwelling Units above first floor must be reviewed by the Local Health Unit Inspector.*
- (iii) *Warehousing is only permitted where the front portion of the building is used for an office, shop, counter, or display case, and where this front area consists of at least 30 % of the building's floor area.*
- (iv) *New commercial development must provide for off-street and/or on-site parking as per the following:*

<i>Retail and personal service shops banks and offices,</i>	<i>1 per 500 sq. ft. (46 m²) of gross leasable floor area</i>
	<i>1 ½ stalls per residence above Commercial Developments</i>
<i>Restaurants, cocktail bars, taverns</i>	<i>1 per 5 seating spaces and one space per 3 employees</i>
<i>Shopping centres</i>	<i>5 per 93 m² (1000 sq. ft.) of gross leasable floor area</i>
<i>Hotels, motor hotels and motels</i>	<i>1 per sleeping unit and one space per 3 employees</i>

2.8.0 **HIGHWAY COMMERCIAL DISTRICT (C2)**

This district is intended for extensive commercial uses that require a site area larger than would be available in the central commercial area and for those commercial uses which would be of service to the travelling public.

2.8.1 **PERMITTED USES**

*Retail Stores
Bulk Fuel Depot
Drive-in Restaurants or similar eating establishments*

*Gasoline Service Stations
Travel Trailer Parks and Campsites
Automobile Sales and Service*

2.8.2 DISCRETIONARY USES

*Workshops and Warehouses
Convenience Stores
Dwelling Units associated to C2 uses
Offices associated to C2 uses
Car washes
Hotels, Motels
Public Utility or Institutional Uses*

2.8.3 OTHER PROVISIONS

- (i) *The front yard of all uses must be paved or filled with compacted mixed gravel or landscaped. Adequate painted or chain-link fencing not less than 1 m (3 ft) high is required for drive-in restaurant uses and must be so erected as to prevent dispersal of litter from the site.*
- (ii) *A development permit application for a travel trailer court must be submitted to the Local Health Unit and Alberta Tourism and Small Business for comments.*
- (iii) *A dwelling unit associated to a highway commercial use may be permitted either separately or on the second storey of a commercial building provided that the application is referred to the Local Health Unit for comment prior to the issuance of a development permit.*
- (iv) *A 6 m (20 ft) landscaped buffer will be required adjacent to a highway right-of-way the actual width of which being at the discretion of the Development Officer but it will in no case be less than 3 m (10 ft).*
- (v) *The additional parking provisions as required in section 2.7.3 apply to this district. Where parking provisions for a proposed land use are included in this By-law specifically in Section 2.7.3, and where this provision is greater than the general provision in Section 2.1.19 "Specific Land Use Provisions Table", the greater of the two provisions apply to the proposal.*

2.9.0 INDUSTRIAL DISTRICT (M)

The intent of this district is to permit and encourage almost any type of new industrial development which will not cause externalities to affect the rest of the Town.

2.9.1 PERMITTED USES

*Light Industry
Manufacturing
Truck Terminal
Processing
Repairing
Warehousing
Lumber Sales
Bulk Fertilizer
Open Storage
Bulk Oil & Gas Depot
Wholesale Distributing
Packing
Servicing Establishments
Parks and Playgrounds*

2.9.2 DISCRETIONARY USES

*Agriculture, Horticulture, or Husbandry but does not include Intensive
Animal Operations
Veterinary Clinics or Hospitals
Auto Wrecking (within a fenced area)
Grain Handling, Sales & Storage
Auction Mart
Feed Mills*

2.9.2 OTHER PROVISIONS

- (i) *The development permit applicant must provide the following information to the Development Officer's satisfaction in addition to the usual requirements:*

*Location
Type of Industry
Size of buildings
Number of employees*

Water demand and source

Type of effluent and method of disposal

Transportation routes to be used (rail, road, airplane)

Reason for specific location

Any ancillary works required (pipeline, railway spurs, etc.)

Anticipated residential location of employees, and

Such other information as may be reasonably required by the Development Officer.

- (ii) *Development permit applicants must bring to the attention of the Development Officer in writing on the application form any unnatural conditions which the proposed development could or will cause to exist either immediately or in eventuality.*
- (iii) *Industrial establishments must not cause extreme, objectionable, dangerous, unsafe or undesirable conditions to exist temporarily or permanently beyond the site boundary, by way of*
 - *noise, traffic or unusual working hours*
 - *vibrations*
 - *odour*
 - *unsightliness*
 - *smoke, dust or other particulate matter emissions*
 - *toxic and noxious matters or emissions, gas or vapour emissions*
 - *radiation hazards*
 - *fire and explosive hazards*
 - *heat*
 - *humidity*
 - *glare*
- (iv) *What level, amount or degree of any expected or potential condition constitutes extreme, objectionable, dangerous, unsafe or undesirable is to the determination of the Development Officer aided by the application of usual or regulated standards, and also will be used in determining whether or not permitted uses will be approved.*
- (v) *The Development Officer will consider the visual and environmental effects on the surrounding lands in the case of malfunction of any industrial process, and can issue a development permit subject to any preventative conditions as are seen fit.*

2.10.0 INSTITUTIONAL DISTRICT (I)

This district provides for public service uses primarily intended to serve the local community.

2.10.1 PERMITTED USES

*Schools
Parks, Playgrounds
Hospitals
Homes for the Aged, Handicapped or others
Police Detachment and Barracks
Churches and Manses
Public Utility Installations, Facilities
Church Camps, Religious Retreats
Parking Lots or Facilities
Town Hall
Public Library
Fire Hall*

2.10.2 DISCRETIONARY USES

*Single Family Dwellings
Group Homes*

2.11.0 PARKS AND RECREATIONAL DISTRICT (P)

This district is comprised of publicly-owned land and is to be utilized primarily for the leisure and recreational needs of the Town's residents.

2.11.1 PERMITTED USES:

*Parks
Nature Trails
Ski Trails
Natural Vegetation, Formal or Informal Gardens
Sports Facilities - golf, baseball, track & field, etc.
Play Areas, Playgrounds
Open Fields or Agriculture
Arenas - skating, curling
Open Ice Rinks*

Temporary or Permanent Parking Facilities
Municipal Lands - Cemetery, stockpile area, etc.
Public Utility Installations, Facilities

2.11.2 DISCRETIONARY USES:

Clubhouses
Changing facilities, showers, lockers, etc.
Confectionary Booths
Bandshells, Gazebo
Monuments
Government & Public Buildings

2.12.0 DIRECT CONTROL PARK DISTRICT (DCP)

This district has been specially designed to allow Council direct control over the use and development of Hardisty Lake Park. While most of the municipally-owned parkgrounds are used for public recreational and leisure needs, some portions are leased to families who own cottages located on the parkland who also contribute to the Park's maintenance.

2.12.1 PUBLIC USES

Hardisty Lake Park Grounds & Entrance Gate
Nature Trails
Natural Vegetation, formal or informal gardens
Sporting Facilities
Change Houses
Parking Areas or Facilities
Playgrounds or Play areas
Picnic Areas
Docking Facilities
Boating, Canoeing
Ski Trails
Club Houses
Fishing and Ice Fishing
Confectionary Booths
Bandshells
Gazebo
Monuments
Public Utility Facilities including (pump out) Washroom Facilities,
Showers and Lockers

Sporting Equipment Rentals
Community Leisure Recreational Centre or Chalet (including mix of uses)
Restaurant, Lounge, or Coffee Shop Facilities
Overnight Camp Grounds
Golf Course and Club Facilities
Rodeo Grounds and Facilities



2.12.2 PRIVATE USES

Privately-owned cabins, and cottages on exiting sites only which do not constitute a primary residence and for which the cottage owners and Town have entered into a lease granting use of a portion of land as specified on and which relates to the Hardisty Lake Park Site Plan and/or Development Concept Plan prepared for such purpose.

Church camps

2.12.3 OTHER PROVISIONS

- (i) No subdivision of land for private use will be permitted.*
- (ii) Private or shared-ownership and/or operation of land uses listed under section 2.12.1 "Public Uses" can also be allowed.*



2.13.0 URBAN RESERVE DISTRICT (UR)

This district is intended to provide for existing and future land uses which will not impede the eventual conversion of the area to a more typically urban environment.

2.13.1 PERMITTED USES

*Agriculture, Horticulture and Husbandry, excluding Intensive
Animal Operations.*

Public Parks and Recreational Areas

2.13.2 DISCRETIONARY USES

Schools or other Public Institutional Uses

Recreation areas under private ownership and operation

Single-Family Dwellings

Modular Homes

Sand or Gravel Stockpiles

Gas, Oil, and Utility Installations

Mobile Homes

Fertilizer and other Agricultural-Oriented Storage Facilities

Radio and other Communications Transmission and Receiving Facilities
Home Occupations
Highway Commercial Uses



2.13.3 **OTHER PROVISIONS**

- (i) *Highway commercial uses will be limited to those which provide essential services to the travelling public, including service stations, garages, motels, tourist camps, roadside restaurants and refreshment stands, and to locations reviewed by Alberta Transportation.*
- (ii) *Residential use is limited to single dwellings on existing lots only.*
- (iii) *No subdivision of existing lots or titles is permitted except by successful application for district reclassification and by appropriate subdivision application as decided by the Subdivision Approving Authority.*
- (iv) *“Mobile Homes” provisions as per Section 2.6.3 “Other Provisions” apply to this district.*

2.14.0 DOWNTOWN REVITALIZATION AREA (DISTRICT OVERLAY)

This section does not relate to an established district but to a special area which lays over the underlying land use districts as a special grouping of provisions involving a special process and special interest groups.

The Downtown Revitalization Area Overlay acknowledges the bounds of a few blocks in the central part of the Town of Hardisty which are the subject of policies in the General Municipal Plan and capital expenditures for public improvements approved by Council.

2.14.1 LAND USE AND DEVELOPMENT

The land uses for the Downtown Revitalization Area are those permitted and discretionary uses in the underlying districts, being primarily the Central Commercial (C1) district.

The development of the Area will be effected via private enterprise in the form of new commercial development ventures according to this Land Use By-law, and public expenditure commitments for improvements to the physical infrastructure and public right-of-ways. Other public/private-shared expenditure for physical improvements can be advanced for mutually benefitting purposes, such as for uniform character storefront facades.

There can be development catalysts and incentives as refined further and developed by groups like the Economic Development Committee, the Planning Committee, the Chamber of Commerce, the Legion, the Elks, the Royal Purple and the Senior Citizens Association.

2.14.2 PUBLIC REDEVELOPMENT STRATEGIES

- (i) Relay and widen sidewalks both sides of Main Street/or build a centre median or boulevard.*
- (ii) Landscaping of Main Street - trees in planters along new sidewalk/or within centre median or boulevard, plus other uniform planters for bushes and flowers in season.*
- (iii) Maintenance of Public Land - including Main Street and sidewalks, downtown parks and open spaces, urban reserve land in public ownership, and in Hardisty Lake Park.*

- (iv) *Encourage demolition and redevelopment of existing below-standard buildings and other structures by Council pursuing condemned status towards public removal if necessary.*
- (v) *Introduce uniform street furniture, ie. benches, street light fixtures, and waste receptacles.*

2.14.3 OTHER AREAS FOR DISCUSSION/RESOLUTION

- (i) *Business Incentives: financial or other enticements for new private commercial development.*
- (ii) *Town Hall/Firehall/Library debate: on Main Street or Town entrance? one lot or more?*
- (iii) *Promotion of Town: The Revitalizing Downtown and Hardisty Lake Park.*
- (iv) *Public Spaces/Facilities: Public Rest Centre downtown behind Tom Boy with public restroom facilities, seating, landscaping, fountain, waste container, street vendors.*

SCHEDULE A

FORMS

FORM A

Application #

DEVELOPMENT PERMIT APPLICATION

Name of Applicant: ; Telephone #:

Applicant's Address:
.....Street Address of Property to be developed:
.....

Legal Description: Quarter of Section Township Range W4th Meridian;

Certificate of Title #:

Registered Plan #: Lot: Block:

Registered Owner: ; Address:
.....

Existing Use:

Land Use District:

Principal Use Proposed:

Lot Width: ; Lot Length: ; Rear Yard:

Floor Area: ; Percentage of lot occupied:

Setback from lot lines - Front: ; Side: Back:

Cornerlot side:

Off-Street Parking: Size of space ; Number of spaces

Off-Street Loading: Size of space ; Number of spaces

Accessory Use(s) Proposed:

Percentage of lot occupied: ; Height of accessory bldg:

Setback from side lot line: ; Setback from rear lot line:

Estimated cost of the project or contract price:

Estimated dates of commencement and completion:

Please attach proposed site plan, building drawings, and development permit fee as per section 1.3.3 of the Hardisty Land Use By-law.

Please consider this application for a Development Permit in accordance with the plans and supporting information also forming part of this application.

Date of Application:

APPLICANT

FORM B

Permit #

DEVELOPMENT PERMIT

The development proposal concerning a

at

(described further in Development Permit Application #) has been:

APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. That this Development Permit does not become effective until 14 days after the date of notice of the decision and only if no development appeal is lodged during this time. Should an appeal be made against this decision to the Development Appeal Board, you will be so notified and the Development Permit becomes null and void;
2. That the subject development is developed in accordance with all approved plans, applications, By-laws, Provincial Acts and Regulations;
3. That a Building Permit be obtained from the Building Inspector or Alberta Labour if construction is involved;
4. That this permit is valid for a period of twelve months from its date of issue. If the development has not been commenced or carried out with reasonable diligence in the Development Officer's opinion by the end of this period, this permit becomes null and void;
- 5.

Any person claiming to be affected by this decision may appeal to the Chairman of the Development Appeal Board in writing within 14 days after the date of notice of this decision.

You are hereby authorized to proceed with the development specified provided that all the stated conditions are complied with.

Date of Development Permit Application Decision

Date of Notice of Decision DEVELOPMENT OFFICER

Tentative Date for issue of Development Permit

FORM C

Application #

NOTICE OF DEVELOPMENT PERMIT APPLICATION APPROVAL

This is to notify you that the Development Officer has conditionally approved the issuance of a development permit authorizing the following proposed development:

Street Address of Property

Lot Block Registered Plan #

..... Quarter of Section Township Range W 4 Meridian;

Certificate of Title #

Date of Development Permit Application Approval

Any person claiming to be affected by the decision may appeal to the Development Appeal Board by serving written notice of appeal to the Chairman of the Development Appeal Board within 14 days after the date of this notice.

Date of Notice of Decision

DEVELOPMENT OFFICER

FORM D

Application #

NOTICE OF DEVELOPMENT PERMIT APPLICATION REFUSAL

Please be advised that your application for a development permit concerning:

has been REFUSED for the reason(s) on this Notice.

Please also be advised that you may appeal this decision to the Development Appeal Board. An appeal must be in writing and must be delivered either personally or by mail so as to reach the Chairman of the Development Appeal Board no later than fourteen (14) days following the date of notice of this decision. The notice of appeal must also contain a statement of the grounds for appeal.

Date of Development Permit Application Decision:

Reason(s) for Refusal:

Date of Notice of Decision:

DEVELOPMENT OFFICER

FORM E

NOTICE OF APPEAL HEARING

*This is to notify you that an appeal has been made to the
DEVELOPMENT APPEAL BOARD concerning the decision made on Development Permit Application #
which involves a development proposal described as follows:*

The Development Permit Application conditionally approved, was appealed for the following reasons:

DATE OF HEARING:

TIME OF HEARING:

PLACE OF HEARING:

Any person affected by the development permit application decision has the right to present a written brief and/or to be present and be heard at the hearing. Written briefs shall be submitted to the Chairman of the Development Appeal Board prior to the public hearing.

Date

CHAIRMAN, Development Appeal Board

FORM F

Application #

NOTICE OF APPEAL DECISION

This is to notify you that an appeal against the **CONDITIONAL APPROVAL/REFUSAL** of a development permit concerning the following:

was considered by the **DEVELOPMENT APPEAL BOARD** on 19
and the decision of the **DEVELOPMENT APPEAL BOARD** concerning the appeal is as follows and for the following reasons:

Note:

A decision of the Development Appeal Board is valid and binding on all parties and persons subject only to an appeal upon a question of law or a question of jurisdiction as per Section 152 of the Planning Act. An application for leave to appeal to the Court of Appeal must be made to a Judge of the Court of Appeal and within 30 days after the issue of the Development Appeal Board's order, decision, permit or approval.

DATE

CHAIRMAN, Development Appeal Board

FORM G

Application #

APPLICATION FOR LAND USE BY-LAW AMENDMENT

Applicant: Name Telephone #

Address

Owner of Land: Same as above? Check (☐) yes

Name Telephone #

Address

Land Description: Lot Block Registered Plan

or Quarter of Section Township Range W 4th Meridian

Certificate of Title #

Current Land Use District

Amendment Proposed

Reasons for Application

Please consider this application to amend the HARDISTY LAND USE BY-LAW and find the application fee of \$25.00 attached

Date

APPLICANT

FORM H

NOTICE OF LAND USE BY-LAW AMENDMENT PROPOSAL
AND PUBLIC HEARING TO SUBJECT LANDOWNERS

To:

This is to advise you, as per Section 139 of the Planning Act, that an amendment to the Hardisty Land Use By-law has been proposed which involves or affects land which you own in the Town.

The following description summarizes the subject Land Use By-law amendment proposed which can also be viewed at the Town Office during the usual business hours:

A Public Hearing has been arranged to hear your concerns on this matter, and although the details will also be published in the Community Press newspaper, they are provided below for your convenience:

DATE OF HEARING

TIME OF HEARING

PLACE OF HEARING

Any person affected by the proposed amendment has the right to present a written brief prior to the hearing and/or to be heard at the hearing. Written briefs can be submitted to Council via the Municipal Administrator at the Town Office prior to the Public Hearing.

Date
MUNICIPAL ADMINISTRATOR

FORM I
STOP ORDER

Please be advised that you, as the registered owner, person in possession, or the person responsible, are immediately required, by virtue of this order as per Section 81 of the Planning Act, to stop

_____ the development or construction of

_____ the use of land being

on the parcel of land known as

and to _____ demolish

_____ remove

_____

by to make same comply with the

Hardisty Land Use By-law and the Planning Act.

You may appeal this order to the Chairman of the Development Appeal Board within 14 days of the date of this order, but should you fail to comply with this order you face enforcement actions as per section 82 of the Act, and or a fine up to \$500.00 as per section 154 of the Act.

Date

DEVELOPMENT OFFICER

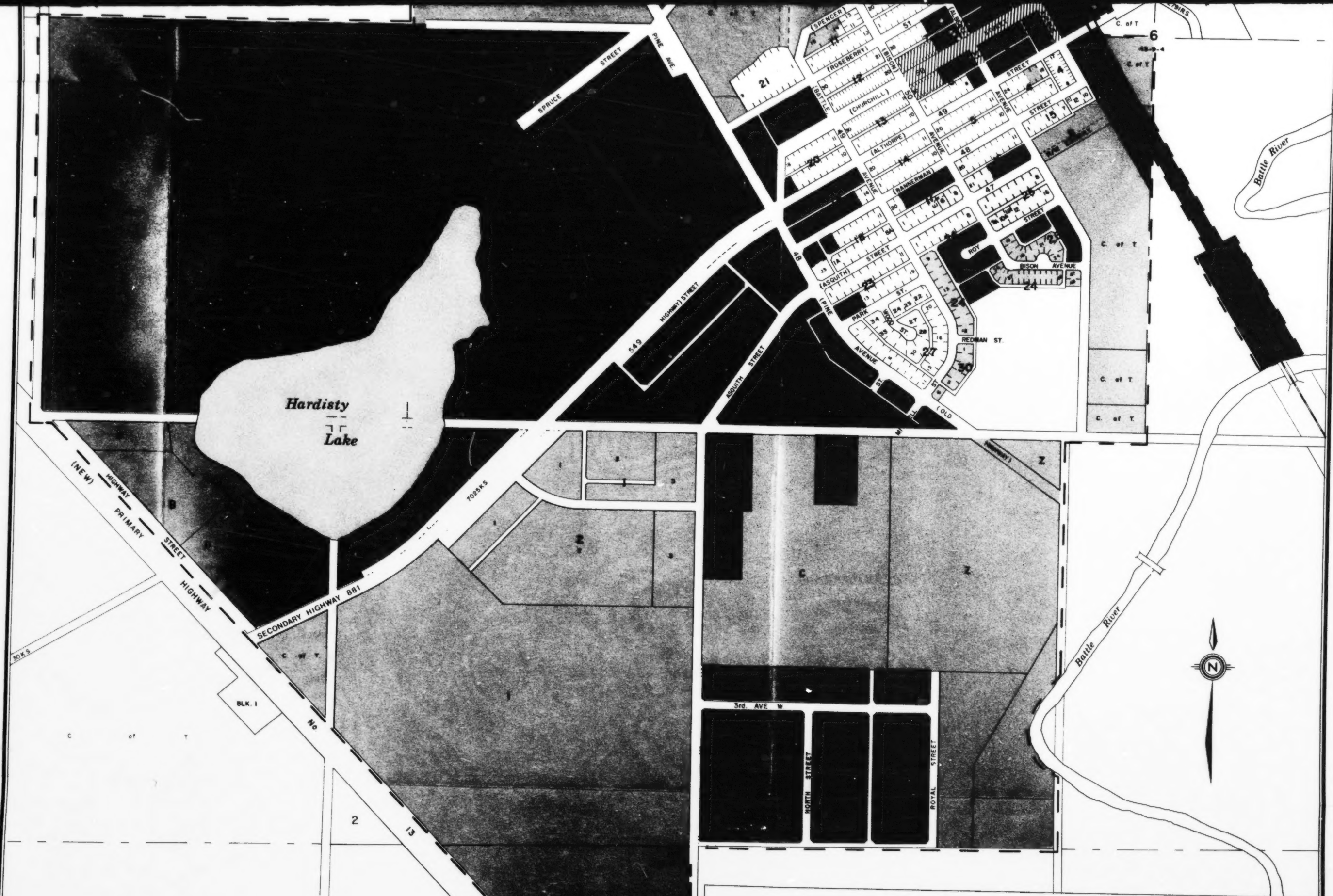
For Copies Contact:

*Town Office
P.O. Box 10
HARDISTY,
ALBERTA T0B 1V0
1-403-888-3623*

Produced By:

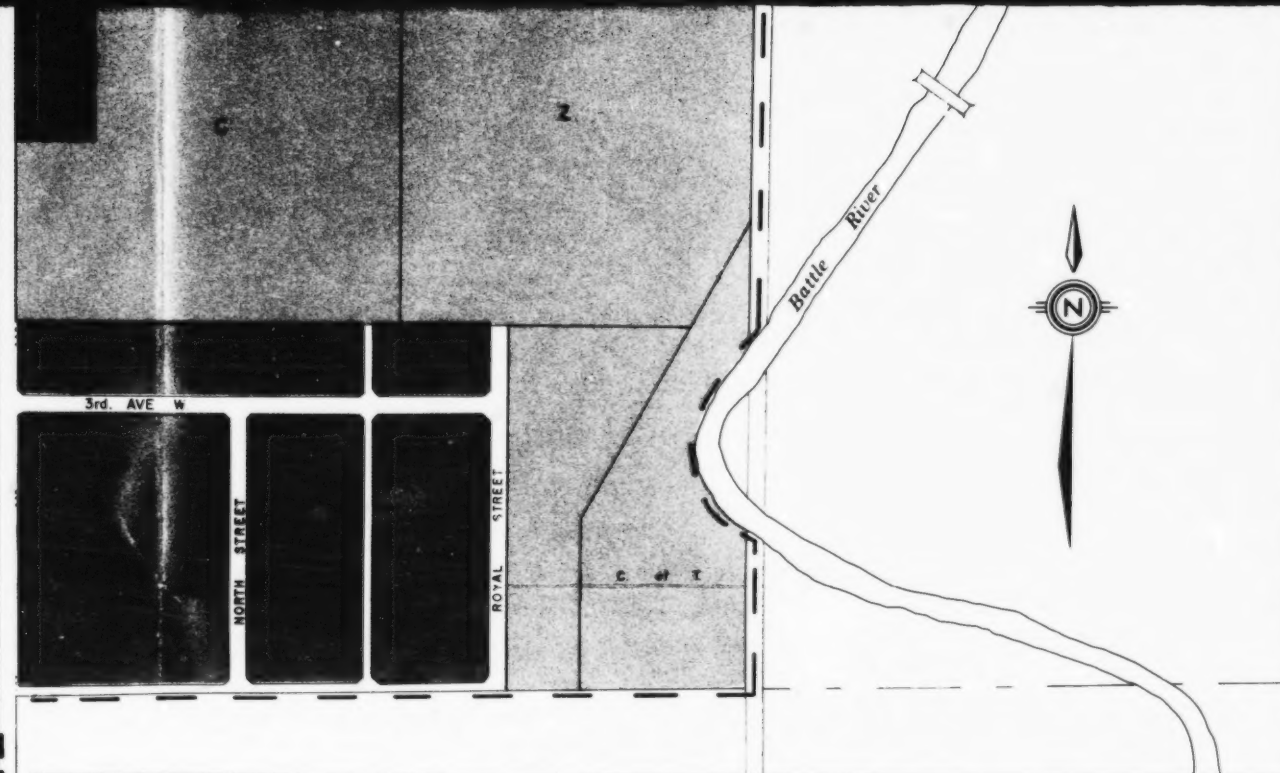
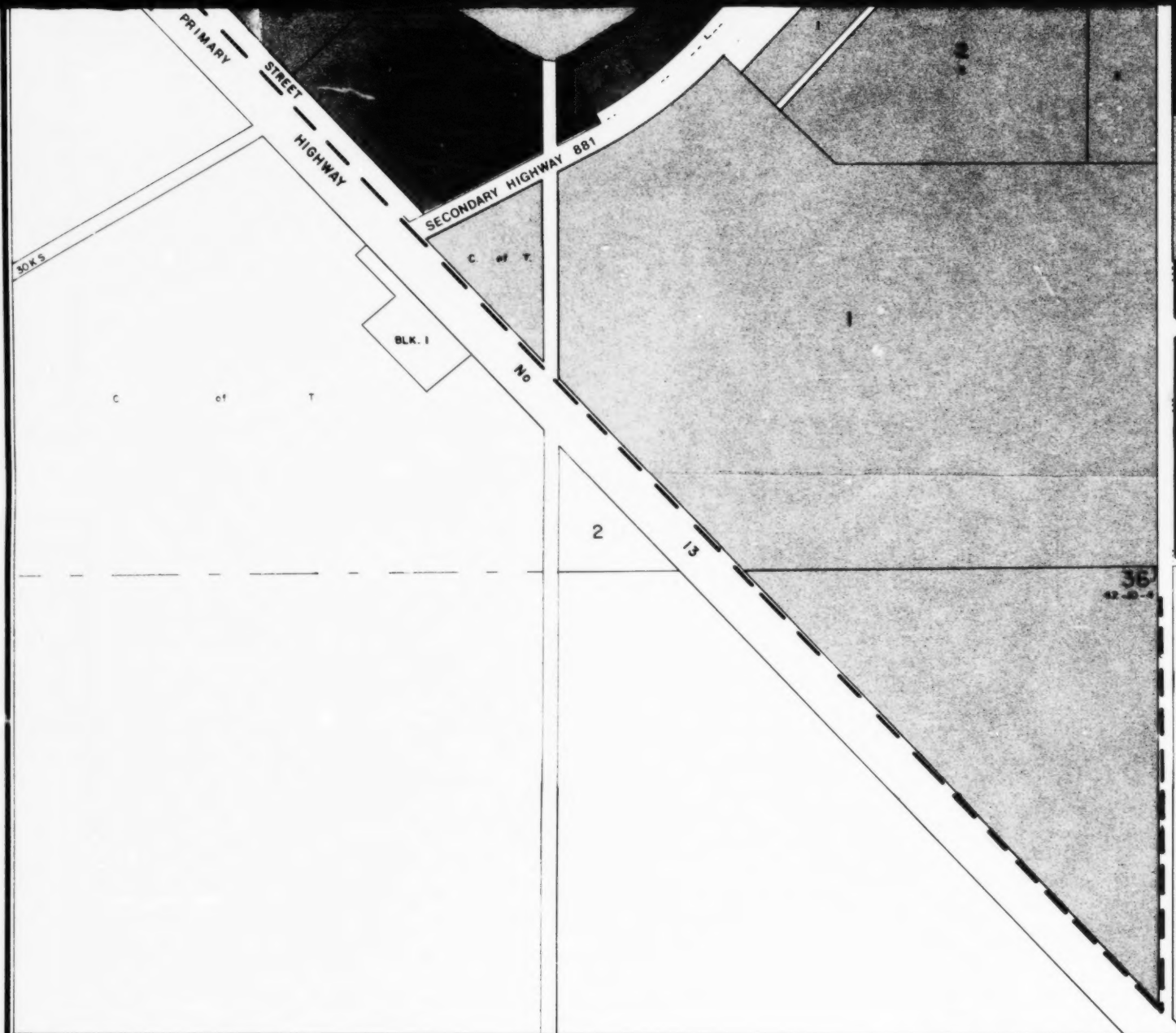
*Planning Branch
Planning Services Division
Alberta Municipal Affairs
9925 - 107 Street,
EDMONTON,
ALBERTA T5K 2H9
1-403-427-2125*





Town of Hardisty

LAND USE DISTRICT MAP



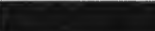
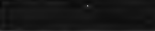
Town of Hardisty LAND USE DISTRICT MAP

SCHEDULE A, BY-LAW NO. 859
DECEMBER 12, 1985

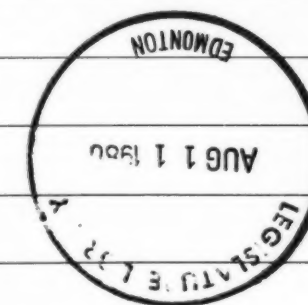


Legend

- Low Density Residential (R1) 
- Mixed Residential (R2) 
- Medium Density Residential (R3) 
- Large Lot Residential (LR) 
- Mobile Homes & Parks (MHP) 
- Central Commercial (C1) 

- Highway Commercial (C2) 
- Industrial (M) 
- Institutional (I) 
- Parks & Recreation (P) 
- Direct Control Park (DCP) 
- Urban Reserve (UR) 

Downtown Revitalization Area 



CA2ALMA
85T53